



The Gryphon Trust
**Manual of Personnel Practice,
Policies and Procedures**
GAT/0039

POLICIES AND PROCEDURES PROFORMA

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Amend. No.	Issued	Page	Subject
1	Jan 2016		Insertion of Gifts and Hospitality Policy
2	June 2017		Amend as Trust policy
3	June 2017		Inclusion of Principal
4	Sept 2018		Update of Pay Policy/Remove Principal
5	Sept 2018		Inclusion Driving of Minibus Policy
6	Sept 2018		Inclusion of Redundancy Policy
7	Nov 2018		Inclusion of Family Friendly Policy
8	Nov 2018		Update to Maternity, Paternity & adoption
9	July 2019		Organisational Change Policy
10	Feb 2020		Amend Paternity/Maternity Policy
11	April 2020		Insert Parental Bereavement Leave
12	September 2020		3.1 – additional sentence.
13	October 2021		Whistleblowing Policy - updated
13	October 2021		Probationary Policy - updated
13	October 2021		Gifts and Hospitality - reviewed
13	October 2021		Insertion of Anti-Fraud Policy
13	December 2021		Staff Development Policy – replaces Performance Management Policy
14	January 2022		Whole Policy review, changes include: Change to annual leave year (Sept – August) Insertion of Performance Concerns Policy Removal of Use of and Control of Minibus to H&S Policy

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ANTI FRAUD POLICY

(To be read in conjunction with the Trust's personnel procedures and 'Whistleblowing' policy)

1.0 Introduction

- 1.1 This document sets out the policy and procedures of The Gryphon Trust against fraud and other forms of dishonesty.
- 1.2 It applies to all members, directors, local governors, staff, volunteers and others associated with or employed by The Gryphon Trust including members of the public (herein referred to as associated persons). All associated persons who commits fraud, theft or any other dishonesty, or who becomes aware of it and does not report it, will be subject to appropriate disciplinary action.

2.0 Purpose

- 2.1 It is expected that associated persons act honestly and with integrity at all times. The prevention of fraud and the protection of the school is the responsibility of every associated person. The purpose of this policy is to ensure we:
 - take all allegations of fraud seriously
 - investigate all allegations of fraud appropriately
 - educate staff on fraud awareness and the relevant procedures

3.0 Statement of intent

- 3.1 The Gryphon Trust will continually strive to ensure that all its financial and administrative processes are carried out and reported honestly, accurately, transparently and accountably and that all decisions are taken objectively and free of personal interest. We will not condone any behaviour that falls short of these principles.
- 3.2 All members of The Gryphon Trust have a responsibility for putting these principles into practice and for reporting any breaches they discover.

4.0 Definitions

- 4.1 All definitions herein are supplemental to definitions included in the law for England and Wales.
- 4.2 **Fraud:** A deliberate intent to acquire money or goods dishonestly through the falsification of records or documents. The deliberate changing of financial statements or other records by either; a member of the public, someone who works or is a volunteer for the Gryphon Trust. The criminal act is the attempt to deceive and attempted fraud is therefore treated as seriously as accomplished fraud.
- 4.3 **Theft:** Dishonestly acquiring, using or disposing of physical or intellectual property belonging to The Gryphon Trust or to individual members of the organisation.
- 4.4 **Misuse of equipment:** Deliberately misusing materials or equipment belonging to The Gryphon Trust for financial or material benefit.
- 4.5 **Abuse of position:** Exploiting a position of trust within the organisation for financial or material benefit.
- 4.6 **Dishonestly:** Fails to disclose to another person information which he is under a legal duty to disclose.
- 4.7 All have the common element of taking personal gain or cause loss to another when it is not moral or legal to do so.

5.0 Action

- 5.1 When fraud is identified, action will be taken to limit the damage, seek reparation for losses incurred, punish the perpetrator/s and revise procedures to prevent any recurrence.

- 5.2 Any suspicion of fraud should be reported to a member of the trust's/school's senior management team, or if more appropriate, to, either the Chair of Governors, Chair of the Directors, the Chair of Finance or any other governor who can pass on the information.
- 5.3 The senior management team member or governor will make any initial enquiries considered necessary to validate the report. In every case and as soon as possible after initial enquiries the matter will be passed to the Board of Directors, even if there is no evidence to support the allegation.
- 5.4 The management of any investigation will be undertaken by an audit committee appointed by the Board of Directors to: -
- Determine whether further investigation is warranted
 - Determine who should carry out the investigation
 - Determine which outside agencies (e.g. police, auditors) should be involved
 - Assess the risk to the school
 - Allocate responsibility for damage limitation action
 - Determine the course of action to recover losses
 - Determine the course of action to be taken against perpetrators
 - Evaluate the events which enabled the fraud to occur
 - Ensure preventative action is taken
- 5.5 The Board of Directors shall notify the Education and Skills Funding Agency as required by, and in accordance with, the provisions of the Academy Trust Handbook.

CAPABILITY POLICY

1.0 Principles

- 1.1 This procedure will apply in circumstances where poor performance is assessed to be as a result of an employee's lack of skill, ability, knowledge, experience or aptitude. Where poor work performance is assessed to be due to a deliberate or wilful failure to fulfil the duties of an employee's role and/or a deliberate lack of care, the matter will be dealt with under the school's Disciplinary Procedure as this is a concern of conduct.
- 1.2 Where an employee wilfully and unreasonably refuses to co-operate with the application of the Capability Procedure, the matter will be dealt with under the Disciplinary Procedure.
- 1.3 Concerns about capability should not be confused with disability or genuine sickness. Where employees become disabled during their employment it is important to ensure that every effort should be made to retain them in the original job, or redeploy them to a suitable alternative, post, in line with the requirements of the Equality Act 2010. Recourse to the capability guidelines should only take place when a scheme to deal with disability has been exhausted.
- 1.4 Poor performance due to health problems and/or sickness absence will normally be dealt with via the School's Sickness Absence Policy and Procedure (see separate policy). This is likely to lead to a referral to Occupational Health in order to assess the employee's fitness for work. In some cases it may be appropriate for the Capability Procedure to continue during a period of sickness absence; however the Headteacher/Senior Leadership Team/Headteacher Performance Management Committee (HPMC) will want to take the views of Occupational Health into account.
- 1.5 Prior to the implementation of this procedure, the Headteacher/Senior Leadership Team/HPMC will normally need to be able to show that, through the performance review process, reasonable efforts have been made to identify any performance concerns, discuss them with the employee and, as appropriate, provide support designed to facilitate improvement.
- 1.6 This procedure aims, through advice and support, to improve to an acceptable level, as set by the school, the performance of an employee who is causing concern. Such advice and support may be provided:
 - from within the school;
 - through accessing expertise in another school;
 - via the appropriate advisory services;
 - from other expert sources external to the school;
 - through training courses or events.
- 1.7 The stages specified in this document must be dealt with on a professional and confidential basis. Governors will be notified in the event that the formal Capability Procedure is applied to a member of staff, but will not be provided with any other detail, as this may prejudice governors' involvement in a later stage if recourse to that stage eventually becomes necessary.
- 1.8 Employees are encouraged to be accompanied by a professional association or trade union representative or by a work employee under any formal stages of the Capability Procedure and to seek advice at the earliest opportunity where they are subject to formal action. The companion (who may not be a member of the press/media), is allowed to make representations on behalf of the employee, submit papers, ask questions and address a meeting on behalf of the employee but is not allowed to answer questions on behalf of the employee. It is the employee's responsibility to arrange their own companion and advise management of this. If the employee, or their companion, is unable, for good reason, to attend a meeting, an alternative date will be arranged, once only, normally within 5 working days of the original meeting.
- 1.9 When the Capability Procedure has commenced, the employee will be provided with a copy of the Procedure.
- 1.10 All targets and support and review meetings will be recorded during the capability process.

- 1.11 The employee will not normally be permitted to raise a grievance related to any action taken, or contemplated, under this procedure. Such grievances will normally be managed within the hearing and appeal process detailed below.
- 1.12 If the employee has less than one or two years of continuous service with the school (depending on the employee's start date), the procedure outlined in at Appendix 1 of the school's Capability Procedure will be used.
- 1.13 The employee will have the right of appeal against any formal action taken against them in accordance with section 10 of this procedure.
- 1.14 The School will have the right to request that an appropriate HR Adviser attends any meetings under Stages 1 or 2 of the Capability procedure, in order to provide support to the Senior Leader/Headteacher/HPMC.
- 1.15 In the interests of fairness, both parties are expected to provide details of any significant issues and relevant papers in advance of meetings arranged under the formal procedure. Management documents will normally be supplied with the letter inviting the employee to the formal meeting. The employee, or their representative/employee, must submit their information to arrive at least **3 working days** before the meeting.
- 1.16 Responsibility for decision-making within this procedure rests with the Headteacher/Senior Leader/HPMC. If the governing body has delegated to the Headteacher the power to dismiss, the Headteacher will not normally be able to fulfil that role where he/she has had substantial involvement in the earlier stages of the procedure.
- 1.17 Where this procedure is used in relation to Headteacher poor performance, the HPMC will undertake the role of Headteacher/Senior Leader. In such cases, an additional professional adviser will be present, at any stage, to provide governors with professional advice.
- 1.18 The time periods in this procedure will also apply to part-time employees.
- 1.19 A first formal warning given as part of the application of this procedure will lapse at the point when the Headteacher/Senior Leader/HPMC decides that an acceptable level of performance has been reached. If performance concerns return within 12 months from the date of such a decision, the Headteacher/Senior Leader/HPMC, following appropriate professional consultation may re-enter the procedure at the appropriate point in Stage 1.
- 1.20 Where a final warning has been issued, this will lapse at the point when the Headteacher/Senior Leader/HPMC decides that an acceptable level of performance has been reached. If performance concerns return within a period of two years (six terms) from the date of issue, the Headteacher/Senior Leader/HPMC, following appropriate professional consultation may re-enter the procedure at the appropriate point in Stage 2 at any time during this two-year period.
- 1.21 In the case of a teacher, where the Capability Procedure has commenced during the year under review and prior to the annual pay determination which takes place by the end of October each year, the Headteacher/Senior Leader has the option to withhold incremental progression of a main scale teacher or an unqualified teacher who has not already earned the maximum experience points on the teachers' or unqualified teachers' pay spine. The school will write to any teacher concerned in order to warn them about the potential loss of an increment. This experience point may be reinstated when the teacher's performance has reached the required level.
- 1.22 In the case of a member of support staff where the formal Capability Procedure has commenced during the year under review, the Headteacher/Senior Leader will withhold incremental progression, where the employee receives an 'improvement required' rating.
- 1.23 Action involving use of a formal written warning and beyond will not be taken in respect of an accredited representative of a Trade Union unless the Headteacher has informed the relevant full-time official of the action that is being contemplated.

2.0 Stages of the Procedure

- 2.1 There are three stages in the Capability Procedure, as follows:

- Stage 1 - Formal Meeting Stage
- Stage 2 – Final Meeting Stage
- Stage 3 – Headteacher/Governors’ Committee hearing

2.2 At every stage of the procedure the employee will be advised of the nature of the concern, be given an opportunity to provide their view, and have the right to be accompanied.

3.0 Stage 1 - Formal Meeting

3.1 Invitation to a Stage 1 Formal Meeting

3.1.1 The Headteacher/Senior Leader/Governors’ Committee will write to the employee to invite them to a Stage 1 Formal Meeting. The invitation letter will:

- inform the employee of the stage of the procedure being followed;
- provide the employee with a minimum of 5 working days’ notice of the meeting;
- inform the employee of the right to be accompanied at the meeting;
- inform the employee of the requirement to confirm before the meeting whether they intend to be accompanied at the meeting, and, if so, by whom;
- inform the employee that, if they wish to refer to any written information at the meeting, this must be submitted to arrive 3 working days before the meeting;
- explain that if the employee needs special support or assistance during the meeting, they should notify the Headteacher/Senior Leader/Chairman HPMC in advance of the committee meeting;
- enclose a copy of the Capability Procedure (if they have not already been provided with a copy) and all written information the Headteacher/Senior Leader/HPMC Chairman wishes to rely upon during the meeting;

3.2 Conduct of the Stage 1 Formal Meeting

3.2.1 The Headteacher/Senior Leader/Chairman HPMC will:

- clearly set out the nature of the performance concerns, discuss the measures put in place during any period of structured managerial support and explain why progression to the Capability Procedure may be required;
- refer to any documents or evidence (for example, evidence of support provided, monitoring and training records and examples of the employee’s work) and clarify the requirements of the employee’s role and the standards expected;
- ask the employee to account for their continued under-performance including any mitigation the employee feels are relevant;
- consider all the facts and, if necessary, adjourn the meeting to consider these further before deciding whether the employee will move onto the Capability Procedure;
- define success criteria and the evidence that will be used to assess whether or not the necessary improvement has been made;
- define the nature and frequency of any support to be provided, and of the monitoring process, and the dates of interim progress reports and formal reviews.

3.3 Outcomes of the Stage 1 Formal Meeting

3.3.1 Possible outcomes include:

- no formal action required (in which case it may be appropriate to continue to address the concerns through the performance management process and the Capability Procedure will not apply);
- a Formal Warning is issued;
- (in serious cases) a Final Warning is issued (see section 7);
- (in exceptional cases) a decision is made to suspend the employee pending an investigation into a concern of gross incapability. In such circumstances, the Headteacher/Senior Leader/Chairman of the Committee may refer the matter directly to a hearing under Stage 3.

3.3.2 An employee issued with a warning will be told the consequences of further poor performance or failure to improve within the set review period. The length of the review period will depend on the circumstances of the individual case but in most cases will be between four and ten weeks. Progress will be formally reviewed at the end of this period: however interim reviews will also be held to assess progress.

3.3.3 The outcome of the meeting will be confirmed in writing to the employee. A copy of this letter will be placed on the employee's personal file.

4.0 Stage 2 - Final Meeting

4.1 Invitation to a Stage 2 Final Meeting

4.1.1 The Headteacher/Senior Leader/Chairman HPMC will write to the employee to invite them to a Stage 2 Final Meeting. The invitation letter will be in accordance with paragraph 3.1.1.

4.2 Conduct of the Stage 2 Final Meeting

4.2.1 The Headteacher/Senior Leader/Chairman NPMC will:

- clearly set out the nature of the performance concerns, discuss the measures put in place during any period of structured managerial support and explain why progression to the next stage of the Procedure may be required;
- refer to any documents or evidence (for example, evidence of support provided, monitoring and training records and examples of the employee's work) and clarify the requirements of the employee's role and the standards expected;
- ask the employee to account for their continued under-performance including any mitigation the employee feels are relevant;
- consider all the facts and, if necessary, adjourn the meeting to consider this further before making a decision about whether the next formal stage will be commenced or the current stage extended;
- define success criteria and the evidence that will be used to assess whether or not the necessary improvement has been made;
- define the nature and frequency of any support to be provided, and of the monitoring process, and the dates of interim progress reports and formal reviews.

4.3 Outcomes of the Stage 2 Final Meeting

4.3.1 Possible outcomes include:

- no further action, in which case the Capability Procedure will cease;
- the Formal Warning remains in place for a further specified period of time;
- a Final Warning is given;
- (in exceptional cases) a decision is made to suspend the employee pending an investigation into a concern of gross incapability. In such circumstances, the Headteacher/Senior Leader/Chairman of the Committee may refer the matter directly to a hearing under Stage 3.

4.3.2 The employee will be told the consequences of further poor performance or failure to improve within the set review period. In most cases, a review period will be set of no more than four weeks.

4.3.3 The outcome of the meeting will be confirmed in writing to the employee. A copy of this letter will be placed on the employee's personal file.

4.4 Stage 2 Final Review Meeting

4.4.1 At the end of the review period in Stage 2, the employee will be invited to a Final Review Meeting. The invitation letter will be in accordance with paragraph 3.1.1. The conduct of the meeting will be in accordance with paragraph 4.2.

4.4.2 Possible outcomes include:

- a decision to refer the matter to a Headteacher/Governors' Committee Hearing to consider dismissal on the grounds of Capability;
- the Final Warning remains in place for a further specified period of time;
- no further action, in which case the Capability Procedure will cease.

4.4.3 The Headteacher/Chair of the Committee (in the case of a Headteacher) will inform the appropriate bodies of the outcome of the Stage 2 Final Review Meeting.

4.4.4 The outcome of the meeting will be confirmed in writing to the employee and a copy placed on the employee's file.

5.0 Stage 3 – Headteacher/Governors' Committee Hearing

5.1 Invitation to a Stage 3 Hearing

5.1.1 The Headteacher/Senior Leader/Chairman HPMC will write to the employee to invite them to a Stage 3 Hearing. The invitation letter will be in accordance with paragraph 3.1.1 and the employee must be advised that dismissal is a potential outcome. The employee must be advised of their right to be accompanied at the Hearing in accordance with paragraph 1.7.

5.2 Conduct of a Stage 3 Hearing

5.2.1 Where the Headteacher has formally delegated powers of dismissal and has not had substantial involvement in Stages 1 and/or 2 of the procedure, the Headteacher may hear the matter. Where this is not the case, the matter will be heard by a Governors' Committee.

5.2.2 The Hearing will be conducted in accordance with the procedure for Headteacher/Governor Committee Hearings (see The Trust's Personnel Procedure).

5.2.3 In the case of the Headteacher, the Chair of the Committee will commission a Professional Adviser to present the management case. The Chair of the HMPC will normally be called as a witness.

5.3 Outcomes of the Stage 3 Hearing

5.3.1 Possible outcomes include:

- no further action, in which case the Capability Procedure will cease;
- the previous Final Warning should remain in place for a further specified period of time (in which case the required improvement in performance will be identified as well as the support that will be provided to help the employee achieve this and the period of time in which the necessary improvement must be made);
- the employee is dismissed on the grounds of capability with the appropriate contractual notice;
- the employee is dismissed summarily (in gross incapability cases).

5.3.2 The outcome of the meeting will be confirmed in writing to the employee. If the decision is to dismiss the employee the letter will:

- specify the reason for the decision to dismiss;
- confirm that the dismissal will take place with notice (or without notice in the case of gross incapability);
- confirm that the employee has the right of appeal against the decision, and the mechanism for doing so.

6.0 Improvement in performance achieved

6.1 If the employee's performance improves as required, the Headteacher/Senior Leader/HPMC will meet the employee to tell them this. This will be confirmed in writing to the employee and the letter will be placed on the employee's file. The Capability Procedure will cease at this point and Performance Management will restart. If the

employee was at Stage 1 of the Capability procedure, their improvement in performance will need to be sustained for at least 12 months, at Stage 2 the improvement would need to be sustained for at least 24 months. If the employee's performance declines during this period of time, the Headteacher/Senior Leader/Chairman of the Committee will have the option to re-enter the procedure at the appropriate point.

7.0 Fast-track procedure

7.1 In very serious cases it may be necessary to issue a Final Warning at a Stage 1 meeting. In such cases, if the necessary improvement in performance is not achieved during the review period, the Headteacher/Senior Leader/Chairman of the Committee will proceed to Stage 3 – a Headteacher/Governors' Committee Hearing.

8.0 Gross Incapability

8.1 When an employee's performance is regarded as gross incapability it would be inappropriate to take them through a staged procedure, particularly if the health and safety of students or other employees is in serious jeopardy or there are serious consequences for the school, to the extent that dismissal would be justified. In such cases, a full investigation must take place and the employee must be given the opportunity to respond. The matter would normally be referred straight to a Headteacher/Governors' Committee hearing and a potential outcome is that the employee is summarily dismissed on the grounds of gross incapability.

9.0 Failure to make progress during a review period

9.1 The review periods set at each stage of the Procedure are the maximum number of weeks in which an employee must make the necessary improvements in performance. However, where during a stage there is evidence to suggest a more serious problem or that progress is insufficient or the individual is unlikely to make the required improvements, the Headteacher/Senior Leader/HPMC may decide to move to the next Stage of the Procedure.

10.0 Right of Appeal

10.1 An employee may appeal against any warning issued to them through the Capability Procedure and/or against a decision to dismiss them. The conduct of the meeting will be in accordance with the Procedure for Headteacher and Governors' Committee Hearings (see The Trust's Personnel Manual). The employee, or their companion, must lodge an appeal in writing to the Headteacher/Senior Leader within 10 working days of receipt of the letter confirming the decision they are appealing against. The employee must state in full the reasons for their appeal.

11.0 Requirement for schools/trust to pass on information about a teacher's capability to a new employer

11.1 The School Staffing (England) (Amendment) Regulations 2012 require maintained schools/trust to pass on information to a prospective employer about any teacher or Headteacher who has been on the Capability Procedure in the last two years. Specifically, they will need to provide details of the duration of capability and an explanation of the outcome. Whilst the Regulations do not apply to Academies, Academies can also ask for the information as part of their recruitment processes and The Gryphon Trust will do so.

12.0 Support

12.1 Staff can seek support from The Education Support Network www.educationsupport.org.uk Telephone helpline **08000 562 561**.

APPENDIX 1

1.0 Employees with less than one years' service, or two years of continuous service where performance is considered unacceptable

- 1.1 This procedure applies to employees with less than one year of continuous service and employees with less than two years of continuous service where performance is considered unacceptable.
- 1.2 It is expected that all new employees, during and after their induction, will have informal discussions with their line manager and that any concerns over the employee's performance are raised as early as possible.

2.0 Formal Meeting

- 2.1 There is only one formal meeting for employees in the first or second year of service. The Headteacher/Senior Manager will adopt the same approach as they would for a Stage 2 Final Meeting (see Section 4 of the Capability procedure).
- 2.2 Possible outcomes include:
- no formal action required (in which case it may be appropriate to continue to address the concerns through the induction and/or performance management process and the Capability Procedure will cease;
 - a Final Warning is given in which case the employee will be told the consequences of further poor performance or failure to improve within the set review period;
 - the matter is referred to a Headteacher/Governors Committee Hearing in order to consider whether the employee should be dismissed.
- 2.3 The outcome of the meeting will be confirmed to the employee. If the decision is to issue a Final Warning, the letter will:
- specify the reasons for the Stage 2 Final Warning, including details of the performance problems;
 - include details of how long the final warning will remain in place;
 - identify the improvement in performance required;
 - identify any additional support or training to help the employee achieve the performance standards required;
 - specify the period of time allowed for the necessary improvement to be made;
 - specify the review dates;
 - remind the employee that failure to improve to the required standard may lead to dismissal;
- 2.4 The timescale for the set review period for employees in their first and second year of service will be shorter and will not result in the employment being extended beyond one or two years prior to a final decision being taken.
- 2.5 If the decision is to refer the matter to a Headteacher/Governors' Committee Hearing, the letter will confirm the arrangements for this in accordance with the Procedure for Headteacher and Governors' Committee Hearings. The letter will confirm that a possible outcome of this hearing is that the employee could be dismissed on the grounds of capability.
- 2.6 This Procedure does not prevent a summary dismissal on the grounds of gross incapability in accordance with Section 8 of the Capability Procedure.

3.0 Right of Appeal against Dismissal

- 3.1 During the first or second year of service an employee only has the right of appeal against a dismissal decision; there is no right of appeal against a warning.
- 3.2 The employee must lodge an appeal as set out in Section 10 of the Capability Procedure.

STAFF CODE OF CONDUCT POLICY

1.0 Standards

- 1.1 These standards apply to all employees of the Gryphon Trust, its academies and central services including trainees, agency workers and anyone working on a casual or voluntary basis, regardless of length of service, and are collectively referred to herein as “employees”. This policy should be read in conjunction with other more specific Trust/Academy policies such as Gifts and Hospitality Policy and the Equality and Diversity Policy.
- 1.2 Employees are expected to give the highest possible service to pupils, colleagues and members of the public and, where part of their duties, to provide appropriate advice with impartiality. Employees will be expected, through agreed procedures and without fear of recrimination, to bring to the attention of the appropriate level of management any deficiency in the provision of service.
- 1.3 Employees must report to the appropriate manager (normally a member of the SLT) any impropriety or breach of procedure. All employees are required not to act inappropriately in any context which might bring themselves and/or The Trust into disrepute. This includes inappropriate use of new technologies, such as social networking sites, internet use and other electronic communications.

2.0 Disclosure of Information

- 2.1 It is generally accepted that open and transparent processes are best. The law requires that certain types of information must be available to service users and the public. The school itself may decide to be open about other types of information. Employees must be aware of which information is - and is not open - and act accordingly.
- 2.2 Employees should not use any information obtained in the course of their employment for personal gain or benefit, nor should they pass it on to others who might use it in such a way.

3.0 Political Neutrality

- 3.1 Employees serve The Gryphon Trust. They must ensure that the individual rights of all staff are respected.
- 3.2 Where employees are required to advise political groups they must do so in ways which do not compromise their political neutrality.
- 3.3 Employees, whether or not politically restricted, must follow every lawful expressed policy of the governing body and must not allow their own personal or political opinions to compromise their work with children or adults.

4.0 Relationships

- 4.1 Mutual respect between employees, Senior Leadership Team and the governing body and directors is essential to good personal relationships and practices.
- 4.2 Close personal familiarity between employees and individual governors may damage the relationship and prove embarrassing to other employees and governors and directors and should therefore be avoided where reasonably possible.
- 4.3 The Local Community and Service Users
 - 4.3.1 Employees should always remember their responsibilities to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community as defined by the policies of the governing body.
- 4.4 Contractors
 - 4.4.1 All relationships of a business or private nature with external contractors, or potential contractors, should be made known to the appropriate senior member of staff. Orders and contracts must be awarded on merit, by fair competition

against other tenders, and no special favour should be shown to businesses run by, for example, friends, partners or relatives in the tendering process. No part of the local community should be discriminated against.

- 4.4.2 Employees who engage or supervise contractors or have any other official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity with contractors, should declare that relationship to the appropriate member of the Senior Leadership Team.

5.0 Appointment and Other Employment Matters

- 5.1 Employees involved in appointments should ensure that these are made on the basis of merit. In order to avoid any possible accusation of bias, employees should not generally be involved in an appointment where they are related to an applicant, or have a close personal relationship outside work with him or her, or a member of their immediate family.
- 5.2 Similarly, employees should not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, partner, etc.

6.0 Outside Commitments

- 6.1 Some employees have conditions of service which require them to obtain written consent to take any outside employment. All employees should be clear about their contractual obligations and should not take outside employment which conflicts with the interests of the governing body. They should speak to the Headteacher if they have any doubts about this matter.
- 6.2 Employees should follow the governing body's rules on the ownership of intellectual property or copyright created during their employment. All work created during employment by The Gryphon Trust remains the intellectual property/copyright of The Gryphon Trust.

7.0 Personal Interests

- 7.1 Employees must declare to the Headteacher/CEO any non-financial interests that they consider could bring about conflict with the school's interests.
- 7.2 Employees must declare to the Headteacher/CEO any financial interests which could conflict with the school's interests.
- 7.3 Employees should declare to the Headteacher/CEO membership of any organisation not open to the public without formal membership and commitment of allegiance and which has secrecy about rules or membership of conduct.
- 7.4 Trust assets should not be used for personal benefit including to obtain favour from others. This may include, for example, use of school minibus or equipment for non-school business.

8.0 Equality Issues

- 8.1 All employees should ensure that policies relating to equality issues in the school are complied with in addition to the requirements of the law. All members of the local community, customers and other employees have a right to be treated with fairness and equity.

9.0 Separation of Roles During Tendering

- 9.1 Employees involved in the tendering process and dealing with contractors should be clear on the separation of client and contractor roles within the authority. Senior employees who have both a client and contractor responsibility must be aware of the need for accountability and openness.
- 9.2 Employees in contractor or client units must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.

- 9.3 Employees who are privy to confidential information on tenders or costs for either internal or external contractors should not disclose that information to any unauthorised party or organisation.
- 9.4 Employees should ensure that no special favour is shown to current or recent former employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.

10.0 Corruption

- 10.1 Employees must be aware that it is a serious criminal offence for them corruptly to receive or give any gift, loan, fee, reward or advantage for doing, or not doing, anything or showing favour, or disfavour, to any person in their official capacity. If an allegation is made it is for the employee to demonstrate that any such rewards have not been corruptly obtained.

11.0 Use of Financial Resources

- 11.1 Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner. Should strive to ensure value for money to the local community and to avoid legal challenge to the governing body.

12.0 Hospitality

- 12.1 Employees should only accept offer of hospitality if there is a genuine need to impart information or represent the school in the community. Offers to attend purely social or sporting functions should be accepted only when these are part of the life of the community or where the school should be seen to be represented. They should be properly authorised and recorded by the individual, with a copy sent to the Headteacher.
- 12.2 When hospitality has to be declined those making the offer should be courteously but firmly informed of the procedures and standards operating within the school.
- 12.3 Employees should not accept significant personal gifts from contractors and outside suppliers, although the school may wish to allow employees to keep insignificant items of token value such as pens, diaries, etc.
- 12.4 When receiving authorised hospitality employees should be particularly sensitive as to its timing in relation to decisions which the governing body may be taking affecting those providing the hospitality.
- 12.5 Acceptance by employees of hospitality through attendance at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal, where the school gives consent in advance and where the governing body is satisfied that any purchasing decisions are not compromised. Where visits to inspect equipment, etc. are required, employees should ensure that the school meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

13.0 Sponsorship - Giving and Receiving

- 13.1 Where an outside organisation wishes to sponsor or is seeking to sponsor a school/trust activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with the contractors or potential contractors.
- 13.2 Where the school/trust wishes to sponsor an event or service neither an employee nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full disclosure to an appropriate member of the Senior Leadership Team of any such interest. Similarly, where the school through sponsorship, grant aid, financial or other means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

14.0 Dress Code

- 14.1 Refer to the trust's Staff Dress Code contained in this document and local variations appropriate to each school, for example, in relation to occupational dress for site and practical working.

15.0 Examination and Assessment Arrangements

- 15.1 Altering, adding to or completing scripts and falsifying coursework and moderating marks submitted for any formal examination.
- 15.2 Breaching the rules of confidentiality for examination documentation.
- 15.3 Persistent failure to co-operate with arrangements for furthering the educational progress of learners.

16.0 Standards of Honesty and Integrity

- Failure to comply with school financial and accounting procedures.
- Theft of money or school property.
- Submission of false mileage expenses/travel claims.
- Using school facilities for private interests without permission.
- Using school equipment to view pornography, or any other breaches of the IT Network User Regulations.

17.0 Professional Position

- False claims to possess qualifications.
- Falsifying a reference for any post.
- Misrepresenting the pattern of past employment on an application form.

18.0 Bring the School/Trust into Disrepute

- 18.1 Conduct in this category would include behaviour which was seriously detrimental to the standing of the school/trust but where no criminal offence was committed.

19.0 Conviction of a Relevant Offence

- 19.1 The school/trust may also take disciplinary action where an employee has been convicted of a relevant criminal offence or has accepted a caution in relation to such an offence.
- 19.2 As the school meets the requirements in respect of exempted questions under the Rehabilitation of Offenders Act 1974, all applicants who are offered employment will be subject to a criminal record check from the DBS before the appointment is confirmed.
- 19.3 This will include details of cautions, reprimands or final warnings as well as conviction. All criminal offending should be avoided. However, isolated Road Traffic Offences would not normally be considered as behaviour incompatible with being an employee. In all cases the school would consider whether there is a trend of reoffending which may merit further action.
- 19.4 Criminal offences which may preclude staff from working at The Gryphon Trust include: -
 - Benefit fraud
 - Indecent assault on a man or a woman
 - Inflicting grievous bodily harm or actual bodily harm
 - Murder or manslaughter
 - Possession of prohibited firearms and ammunition
 - Threatening or disorderly behaviour
 - Unlawful wounding
 - Drugs offences
 - Rape or burglary with intent to commit rape
 - Cruelty to children

- Kidnapping, false imprisonment and abduction
- Sexual intercourse with a child under 13
- Intercourse with a girl aged between 13 and 16
- Buggery with a child under 16
- Indecency between men and women
- Abuse of trust
- Incest and related offences
- Assault with intent to commit buggery
- Indecency with children under the age of 14
- Offences relating to or encouraging child prostitution
- Offences relating to child pornography
- Theft or burglary

19.5 Many posts in school are covered by the Rehabilitation of Offenders Act 1974 and therefore applicants are required to declare: -

- Unspent convictions and/or unspent conditional cautions only

19.6 For further information on how long it takes for convictions and conditional cautions to be spent, we will refer to Nacro's guide on the Rehabilitation of Offenders Act.

19.7 We recognise the contribution that people with criminal records can make as employees and volunteers and welcome applications from them. A person's criminal record will not, in itself, debar that person from being appointed to this post. Any information given will be treated in the strictest confidence. Suitable applicants will not be refused posts because of offences which are not relevant to, and do not place them at or make them a risk in, the role for which they are applying.

19.8 All cases will be examined on an individual basis and will take the following into consideration:

- Whether the conviction is relevant to the position applied for.
- The seriousness of any offence revealed.
- Age at the time of the offence(s).
- The length of time since the offence(s) occurred.
- Whether the applicant has a pattern of offending behaviour.
- The circumstances surrounding the offence(s), and the explanation(s) provided. ■ Whether your circumstances have changed since the offending behaviour.

19.9 It is important that applicants understand that deliberate attempts to conceal the information requested in this form could result in disciplinary proceedings or dismissal. Further advice and guidance on disclosing criminal records can be obtained from Nacro's Criminal Record Support Service.

CODE OF PROFESSIONAL CONDUCT TOWARDS LEARNERS/STUDENTS

Safeguarding and Caring for Young People and the Prevention of the Abuse of Trust.

1.0 Introduction

- 1.1 The code is intended to protect young people under the age of 18 and vulnerable adults where a relationship of trust with an adult teaching or caring for them could exist.
- 1.2 Although 16 and 17 year olds can consent to sexual activity, they may still be relatively immature emotionally and therefore vulnerable. Under the Children Act 1989, they are still classed as children and subject to the care within the education system that the Act enforces.
- 1.3 Students may be vulnerable at any stage of their lives, temporarily or permanently, and it is up to the responsibility of teachers, in consultation with middle and senior leaders to determine whether a particular student is suitable for the education they are undertaking and to assess the vulnerability of the student.
- 1.4 The code of conduct must apply irrespective of sexual orientation and equally to all without regard to gender, race, religion or disability.

2.0 Relationships of Trust

- 2.1 A relationship of trust exists when one person has a position of power over another or can influence others by virtue of their work.

3.0 Abuse of Trust

- 3.1 Abuse of trust takes place when the victim does not or cannot consent to his/her treatment.

4.0 Guiding Principle

- 4.1 The Gryphon Trust prioritises and promotes the welfare of young people to protect them from criminal activity or sexual exploitation from those looking after them within a relationship of trust.

5.0 Purpose of the Code

- 5.1 The code aims to protect all students, and young people and vulnerable adults from an unequal and potentially damaging relationship. It aims to protect those in a position of trust by preventing them from entering into an inappropriate relationship deliberately or accidentally by providing clear and enforceable guidance on what behaviour is acceptable.

6.0 Those Covered

- 6.1 All students, particularly those under 18 years of age assessed as 'vulnerable' are protected by this code. This applies to all staff who come into contact with students both on and off-site.

7.0 Statement of Policy

- 7.1 Any behaviour that might allow a sexual relationship to develop between any person in a position of trust and the individual or individuals in their care must be avoided. A sexual relationship within a relationship of trust is unacceptable. It should be noted that the Sexual Offences (Amendment) Act 2000 criminalises a sexual relationship between a teacher and his/her students under the age of 18. Where the student is aged over 18 and the teacher is in a position of trust, then a sexual relationship would be considered as a breach of the Teachers Standards and be classed as misconduct.

8.0 Behaviour

- 8.1 Generally, a ‘no touch’ policy is in force. However, it is recognised that on occasion physical contact may be appropriate. Touch is appropriate as commensurate with one’s professional role, e.g. offering comfort, praise or congratulations in Sports Studies, Beauty Therapy, Design and Technology and application of First Aid.
- 8.2 Staff should, for their own protection, avoid situations of one-on-one or groups where an opportunity exists for sexual contact or a ‘reasonable person’ might consider that the situation had been engineered to achieve it. Staff undertaking residential school trips for example should not be alone with a student in a bedroom without the door being wide open. Students should not be invited singly into staff accommodation during residential visits. Staff should not accept invitations to attend private student parties or participate in other situations or events which might lead to their actions being misinterpreted or their intentions being misconstrued
- 8.3 Staff should not exchange mobile numbers or message students, or make contact via social media. Email communication should be on work email accounts only and for professional duties only. Use of personal email is expressly forbidden. Further guidance is provided in school safeguarding policies.

9.0 Procedures

9.1 Awareness:

9.1.1 Students

- 9.1.2 Students are to be made aware of their access to a tutor, for academic and pastoral support. The schools/trust’ counselling service when available is for more confidential matters. Staff must make it very clear to students under 18 that sexual relations, even if consensual, constitutes a criminal offence by the member of staff. Students should be advised that the school policy is for no personal relationships beyond that required by the academic and pastoral duties of the school and that their right to say “no” to sexual approaches is sacrosanct.

9.1.3 Staff

- 9.1.4 The Code of Conduct including the Safeguarding Code of Conduct can be found in the staff handbook which is given to all staff when joining and is maintained and updated annually.

9.1.5 Governors

- 9.1.6 A link Governor is appointed who works with the Senior Leadership Team to champion safeguarding.

9.2 Reporting:

- 9.2.1 An employee who has concerns about a potential, past or present abuse of trust must report this immediately to the school’s CPLO or Headteacher only without discussion with other employees immediately. If a student (regardless of age) reports that he/she is subject to abuse or is reporting abuse of a friend or acquaintance, the employee should make it clear that they will have to pass it on to relevant senior staff.

9.3 Investigation:

- 9.3.1 Every case of reported or suspected abuse of trust must be rigorously investigated. The Headteacher should nominate the most suitably qualified member of staff to carry out the initial investigation following discussion with the LADO. This may be a Senior Leadership Team member or nominated senior employee. Once there is reason to suspect that there may be a prima facie case of abuse, the Headteacher must inform the Children’s Services and the police.

9.4 Actions:

- 9.4.1 To protect the person reporting, the victim, the person accused or suspected of abuse of trust, the existing relationship of trust must be stopped immediately. For all major incidents, the Headteacher may suspend the employee involved while the investigations take place. The suspension does not imply any guilt by the employee and can be designated

as e.g. sick leave, at the Headteacher's discretion. Alternatively, or concurrently, the Headteacher may suspend the student temporarily from school or from particular lessons/activities.

9.5 Individual Actions:

9.5.1 Where an employee believes that a student is becoming attached to them and a breach of trust could be possible, he/she should in all cases, in order to protect themselves from any future accusations of inappropriate behaviour, report this to the CPLO or Headteacher or Deputy Headteacher who should advise the Headteacher. Depending on the actual situation, the Headteacher and the employee concerned should agree on appropriate immediate action, which could involve one or more of:

- A conversation with the student and staff emphasising inappropriateness.
- Contacting parents and requesting them to warn the student of the consequences of her/his behaviour or feelings.
- Timetable/activity and/or tutor group changes to avoid direct contact.

9.5.2 In very exceptional circumstances temporary suspension of the student may be appropriate.

10.0 Sanctions

10.1 A proven case of abuse of trust will be treated as Gross Misconduct leading to disciplinary action, which would result in the employee's contract of employment being terminated without notice, even if the sexual relationship was consensual and regardless of the age of the student. This may also apply in the case of involvement with adult students, particularly vulnerable adults. Dismissal in these circumstances will be subject to appeal although suspension without pay will be imposed from the date of a guilty verdict. If there is a sexual relationship between an employee and a student under the age of 18, then the employee will be liable to prosecution by the Police. Misconduct will be reported for consideration by appropriate authorities barring future contact with children or teaching.

11.0 Allegations without Foundation

11.1 False allegations may be indicative of problems of abuse elsewhere. A record should be kept and consideration given to a referral to Children's Services in order that other agencies may act upon the information.

11.2 The LADO should be informed of the outcome of any investigation including those that are malicious or without foundation.

11.3 In consultation with the designated senior member of staff the Headteacher may:

11.4 Inform the employee against whom the allegation is made orally and in writing that no further disciplinary or child protection action will be taken. Consideration should be given to offering counselling/support to the employee.

11.5 Where appropriate, inform the parents/carers of the alleged victim that the allegation has been made and of the outcome.

11.6 Where the allegation was made by a young person other than the alleged victim, serious consideration should be given as to whether the parents/carers of that young person should be informed and they should be offered counselling.

11.7 Prepare a report outlining the allegation and giving reasons for the conclusion that there was no foundation and confirm that the above actions have been taken.

11.8 Consider how the employee's future contact with the alleged victim is to be managed.

12.0 Records

- 12.1 Full and complete records of all reports and investigations must be kept and protected, using the regulations for the handling of sensitive data as described in the school's Data Protection Policy. Documents should be removed from personnel records if not substantiated/re unfounded or malicious i.e. not referred to in employer references

13.0 Unacceptable Professional Conduct

- 13.1 All employees may be found to be guilty of unacceptable professional conduct

- 13.2 Where they:

- Seriously demean or undermine learners, their parents, carers or employees, or act towards them in a manner which is discriminatory in relation to gender, marital status, religion, belief, colour, race, ethnicity, class, sexual orientation, disability or age.

- 13.3 Where they fail to:

- Take reasonable care of learners under their supervision with the aim of ensuring their health, safety and welfare, both on school premises and associated school activities.
- Comply with relevant statutory provisions which support the well-being and development of learners, including where these require co-operation and collaboration with a range of agencies, as well as employees, employees and other adults.
- Observe confidentiality in a manner consistent with legal requirements.
- Comply with the requirements of statutory bodies relating to the examination, assessment and evaluation of learner achievement and attainment.
- Maintain appropriate standards of honesty and integrity in management and administrative duties, including in the use of School property and Finance Office.

- 13.4 Where they:

- Misuse or misrepresent their professional position, qualifications or experience.
- Otherwise, bring the reputation and standing of the School into serious disrepute.

- 13.5 Instances of unacceptable professional conduct might include the following:

- 13.5.1 Demeaning or discriminatory behaviour

- Swearing at or in the presence of learners and calling them by offensive names.
- Making racist remarks to or in the presence of learners.
- Intimidating learners.

- 13.5.2 Co-operation and collaboration

- Acting to the detriment of newly qualified and junior employees.
- Deliberately undermining the authority of the Headteacher and other staff.

- 13.5.3 Confidentiality

Sending communication, including via social media to parents or learners, which:

- Is in breach of the school's policy and guidelines with regard to communications with parents or learners.
- Intentionally misrepresents a confidential discussion between the member of staff and the Headteacher. c. Breaches data protection procedures

SAFEGUARDING CODE OF CONDUCT FOR STAFF, GOVERNORS AND VOLUNTEERS

Adults who come into contact with children and young people have a duty of care to safeguard and promote their welfare. It is essential, therefore, that they understand their responsibilities in this regard, are aware that breaches of policies and guidelines may result in disciplinary action and that they take responsibility for their own actions and behaviour.

In line with best practice, Staff, Governors, Directors and Volunteers must adhere to the general principles below.

They must ...

- work in an open and conspicuously transparent way, avoiding any actions that would lead a reasonable person to question their motivation and/or intentions or their suitability to work with children or act as a role model
- act as a positive role model for students, especially in respect of attitudes, demeanour, dress and language
- ensure a safe environment for students in their care
- recognise, respect and uphold the value and dignity of each student
- treat each student with justice, fairness and respect
- maintain appropriate professional relationships with students at all times
- always act, and be seen to act, in the best interests of the students
- act with integrity and honesty in all dealings with students
- exercise a professional duty of care towards students and be vigilant with regard to situations/ circumstances where they might be 'at risk' but without resorting to unjustified intrusion
- always tell a senior employee when and how comfort has been offered to a distressed student, with a record of any such situations passed to DSLCP
- treat any information received about students in a discreet and confidential manner
- be cautious when passing on information to others about students, ensuring that school policies are followed
- ensure that any recording of images of students is done only when it is an approved educational activity, and when parents/carers have given express permission (see separate school policy)
- avoid making images of students in 1:1 situation
- be able to justify images of students in their possession
- be clear about the safe disposal of records relating to students once incidents/ lessons/activities are concluded, including digital media e.g. student videos, CCTV
- ensure safe boundaries are maintained in more informal settings such as trips out, residential visits, etc.
- advise HT/DSLCP of any regular social contact they have with a student e.g. as a member of a community sports team/leisure club
- advise HT/DSLCP of any private tutoring arrangements which take place in school or away from the school premises
- ensure that they teach any curriculum content relating to sexual activity in accordance with school policy, highlighting the areas of risk and sensitivity in lesson plans and responding to questions with careful judgement, using appropriate language
- report to the DSLCP any clear/apparent indications (verbal, written or physical) that suggest a student may be infatuated with them and respond sensitively to such situations in order to maintain the dignity of all parties

ALL STAFF ARE EXPECTED TO MAKE THEMSELVES FULLY AWARE OF THEIR RESPONSIBILITIES UNDER THIS FRAMEWORK

IGNORANCE IS NO DEFENCE IF ANY CHALLENGE IS MADE

APPENDIX 2

SAFEGUARDING CODE OF CONDUCT FOR STAFF, GOVERNORS AND VOLUNTEERS

Adults who come into contact with children and young people have a duty of care to safeguard and promote their welfare. It is essential, therefore, that they understand their responsibilities in this regard, are aware that breaches of policies and guidelines may result in disciplinary action and that they take responsibility for their own actions and behaviour.

Staff, Governors, Directors and Volunteers specifically must not ...

- intimidate, threaten, coerce or undermine students
- deliberately embarrass, demean or humiliate a student, nor encourage others to do so
- systematically use insensitive, disparaging or sarcastic comments to (a) student(s)
- discriminate against any student
- touch any student unnecessarily/inappropriately; this includes unlawful physical punishment and any form of physical response to misbehaviour unless it is by way of restraint and in accordance with school policy
- abuse or exploit any student in any way, including for monetary gain or personal benefit
- swear at or in the presence of any student or by any form of electronic transmission
- meet students in private/in areas where they are not visible to others or where a closed door and/or 'engaged' sign (or similar) might create an opportunity for/interpretation of secrecy
- spread gossip about students, especially where CP issues are concerned
- breach the confidentiality of students unless they are legally bound to do so &/or it is in the best interests of the student &/or if the safety of the student(s) and/or others is at risk
- arrange/hold meetings with students away from the school premises without the express permission of the Headteacher; this includes any form of private tuition
- accept regular gifts from, nor give personal gifts to students (unless part of an agreed reward system, of insignificant value and given to all students equally)
- establish or seek to establish social contact with students outside of school
- divulge personal information (telephone numbers, addresses, email addresses, etc.)
- transport students in their own vehicles without prior SLT approval (SV forms will require completion)
- contact students through social networking sites or other social media
- engage in any romantic or sexual liaison with any student, including those in the Sixth Form
- enter into or encourage inappropriate or offensive discussion about sexual activity
- make sexual remarks to a student (including via email, text messages, phone, letter or card) or use any communication which could be interpreted as sexually suggestive or provocative
- discuss their own sexual relationships with, or in the presence of, students
- discuss a student's sexual relationships in inappropriate settings or contexts
- confer special attention and favour upon a student which might be misconstrued as being part of a 'grooming' process
- access abusive or pornographic images or other inappropriate material
- enter unannounced into a changing room, nor remain there unless student needs require it
- change in the same place as or shower with students

ALL STAFF ARE EXPECTED TO MAKE THEMSELVES FULLY AWARE OF THEIR RESPONSIBILITIES UNDER THIS FRAMEWORK

IGNORANCE IS NO DEFENCE IF ANY CHALLENGE IS MADE

DIGNITY AND RESPECT AT WORK POLICY

1.0 Introduction

- 1.1 The School has a responsibility to promote a safe and healthy working environment in which everyone feels valued and is treated with consideration, fairness, dignity and respect.
- 1.2 Bullying and harassment, if undetected or allowed to go unchecked, can have a devastating effect on individuals concerned. It can cause fear, stress, anxiety and a range of other physiological and psychological health issues, low morale and poor self-esteem.
- 1.3 This in turn can have a major impact on the School's ability to deliver a high quality service by causing:
 - reduced individual performance
 - increased sickness absence
 - increased tension and conflict leading to a decline in team performance
 - loss of respect for managers and employees
 - low morale
 - higher staff turnover leading to the loss of productive, skilled and committed people, difficulty in recruiting
 - damage to the School's reputation as a good employer.
- 1.4 There are strong ethical reasons for having a policy, which encourages positive behaviour and aims to minimise the incidence of bullying and harassment in the workplace.
- 1.5 Furthermore, there are legal reasons why the School should have an effective policy to prevent bullying or harassment in the workplace. Not only is harassment on the grounds of an individual's protected characteristic(s) unlawful, but failure on the part of the organisation to tackle this unwanted behaviour may expose the School to a number of legal consequences. This includes breaches of health and safety legislation and claims of unlawful discrimination, unfair dismissal and constructive dismissal.
- 1.6 Cases which go to an Employment Tribunal are often time consuming, can be costly, bring widespread bad publicity
- 1.7 This policy seeks to provide a framework for achieving and maintaining a workplace environment that is consistent with the stated aims of consideration, fairness, dignity and respect. The policy applies to every member of staff, regardless of their role, position, grade or level of seniority within the School. Both the responsibility of individuals not to engage in bullying or harassing behaviour, and the right of individuals to be free of bullying and harassment in their day-to-day working relationships is enshrined in the policy.

2.0 Aims of the Policy

- 2.1 The main aims of this policy are to:
 - promote a respectful and inclusive culture where everyone is treated with professionalism, dignity and respect
 - support positive behaviours within the workplace (see Appendix 1)
 - support a working environment and culture in which bullying and harassment, will not be tolerated
 - raise awareness of the types of behaviour that may constitute bullying and harassment and the likely consequences of displaying such behaviour
 - ensure managers and employees are aware of their responsibilities under this policy to prevent such behaviour
 - promote a climate in which employees, who have a right to be free of bullying and harassment, have the confidence to raise any concerns they may have in the knowledge that their concerns will be treated seriously and addressed swiftly and firmly
 - provide mechanisms, with particular emphasis on early, informal problem-solving approaches, for dealing with incidents when they occur as speedily as possible.

3.0 Who is covered by the Policy

3.1 This policy applies to:

- all employees of the Gryphon Trust, its academies and central services including trainees, agency workers and anyone working on a casual or voluntary basis, regardless of length of service and are collectively referred to herein as “employees”
- Trust workers, apprentices, volunteers, work experience placements
- School Governors and senior post holders

3.2 Incidents of pupils engaging in bullying or harassment of those listed in 3.1 should be dealt with under the pupil anti-bullying and harassment policy.

4.0 Roles and Responsibilities under the Policy

4.1 The Trust has a legal and ethical duty to create and maintain a safe and healthy working environment for its employees and to protect them from bullying and harassment in their day.

4.2 To help employees understand how this translates into the standards of behaviour expected of them at work, this policy gives some examples of what the Trust considers to be respectful behaviour in Appendix 1.

4.3 However, these standards alone cannot create and maintain a respectful and inclusive culture. This can only be achieved if everyone, regardless of their role, position, grade or level of seniority within the organisation, embraces and personally enacts these values and behaviours in their day-to-day working relationships.

4.4 The Senior Leadership Team (SLT) is responsible for modelling, promoting and championing an organisational culture in which employees can work free from any form of bullying or harassment in their day-to-day working environment.

4.5 It is also the responsibility of SLT to ensure that managers at the School personally endorse and actively implement this policy within their areas of responsibility.

4.6 Heads of Department and line managers/supervisors are responsible for:

- making sure they familiarise themselves with the policy and understand it
- ensuring that they implement this Policy within their teams and that it is properly communicated and explained fully to all their staff
- modelling and setting standards of appropriate behaviour within their area of responsibility
- creating and maintaining an inclusive working environment in which bullying, harassment or other unacceptable behaviour will not be tolerated
- being proactive in preventing bullying and harassment at work by personally challenging inappropriate behaviour
- ensuring that an individual’s behaviour is considered as important as the other competencies required for the job when assessing performance in supervision/appraisal processes
- being approachable, ensuring regular 1-2-1’s and supervision sessions are held with staff to ensure any problems that may be arising within the team are brought to their attention
- ensuring that all allegations of bullying and harassment are taken seriously and are promptly and properly dealt with in accordance with this policy
- supporting staff who may feel they are being harassed and bullied
- ensuring that there is no retaliation or victimisation against employees making a complaint or those supporting employees to make a complaint under this policy
- investigating complaints when appointed and competent to do so
- taking steps to resolve any conflict within working relationships involving their staff as soon as they become aware there are issues that need to be addressed.

4.7 Individual employees are responsible for:

- making sure they familiarise themselves with the policy and understand it

- their own personal behaviour and for displaying a positive, professional and cooperative attitude in line with the standards set out in this policy
- developing competence in their inter-personal and communication skills to a level appropriate for their role
- not participating in, encouraging, condoning or supporting the bullying or harassment of another person or covering up for, or protecting, an individual who is behaving inappropriately
- challenging inappropriate behaviour whenever it occurs if they feel able
- responding constructively to feedback and advice on their behaviour whether this is from a manager or a employee
- reporting to their line manager (or senior manager), Trade Union representative or the Headteacher any incidents of bullying, harassment or other inappropriate behaviour that they experience or witness
- supporting employees who may be experiencing bullying or harassment if they feel able
- participating fully in any investigations that may be undertaken
- not bringing claims of unacceptable behaviour, maliciously or vexatious.

4.8 The Trust’s Human Resources Adviser is responsible for:

- advising the Headteacher about staff who believe that they are being bullied or harassed or who may be distressed after witnessing bullying or harassment
- advising managers who need to take action on becoming aware that bullying or harassment might be taking place
- promoting and signposting means by which issues may be resolved informally, for example mediation • advising investigating managers
- suggesting the appointment of a trained mediator as required
- assisting the Headteacher in the effective, fair and consistent implementation of the policy
- advising that monitoring incidents of bullying and harassment and reporting findings to the SLT
- providing training for managers to equip them with the knowledge and skills to address bullying and harassment issues effectively if necessary
- suggesting the School audits the return rate and content of exit interviews to identify any claims of bullying and harassment and to report these to the appropriate member of SLT for possible further action
- advice on reviewing and amending the policy in consultation with recognised Trade Unions as necessary.

4.9 The Trust acknowledges that Trade Union representatives can play an important role in helping the School achieve the stated objectives of this policy:

- by making sure they familiarise themselves with this policy and understand it
- supporting their members who have been bullied or harassed in seeking resolution initially through informal means, where possible, in liaison with the Headteacher and the Trust’s HR Adviser, or by more formal means where an informal approach has not resolved the situation, or where the informal approach is not appropriate.
- representing their members who are the subject of a complaint
- highlighting to their members when their behaviour falls short of the standards outlined in this policy.

5.0 Defining bullying and harassment

5.1 Bullying is defined as:

“offensive, abusive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, provoke, frighten, intimidate, denigrate or bring discomfort to the recipient.” (ACAS)

5.2 Harassment is defined as:

“unwanted physical, verbal or non-verbal conduct that violates the dignity of people in the workplace or creates an intimidating, hostile, degrading, humiliating or offensive environment.” (ACAS)

5.3 The perception that some forms of behaviour are harmless fun or compliments is not acceptable when they are unwelcome, offensive or not returned.

- 5.4 Key to understanding whether either bullying or harassment has occurred is not whether the conduct was intended on the part of the perpetrator, but whether it was unwanted on the part of the recipient.
- 5.5 The Trust will not tolerate bullying or harassment at work - or outside work if it has an impact on working relationships - and any such behaviour may result in disciplinary action which could lead to dismissal.
- 5.6 Examples of the types of behaviour which may constitute bullying and harassment are set out in Appendix 2. This is not an exhaustive list of all behaviour that may be offensive or unacceptable.

6.0 Who can experience bullying or harassment?

- 6.1 Unacceptable behaviour can be experienced by anyone regardless of their gender, age, ethnicity, disability, sexual orientation, religious belief, physical appearance, background or position within the School. Additionally, some people may suffer bullying /harassment because of these factors.
- 6.2 It can occur at any level within the organisation and up, down and across the management structure.
- 6.3 Perpetrators (defined as those people alleged or accused of behaving in unacceptable ways) can be anyone with whom an individual can come into contact at work be it subordinates, peers, employees, managers, governors, supervisors, students, members of the public, partners/ex-partners.

7.0 Performance management

- 7.1 Line managers are responsible for ensuring that employees who report to them perform to an acceptable standard. If the actions taken by a manager are evidently legitimate, justifiable and appropriate in accordance with School policies and procedures to improve an individual's behaviour, attendance, work performance, etc., then this would not constitute bullying or harassment. However, it is acknowledged that some staff may feel anxious or stressed during such actions and procedures undertaken by line managers.
- 7.2 If an employee regards the actions of their line manager or other manager to be evidently illegitimate, unjustifiable or inappropriate, they may report such behaviour as in 4.5, and any such report should be taken seriously and responded to appropriately in accordance with this policy.

8.0 Procedure

- 8.1 All complaints will be dealt with confidentially as far as possible. However, the School has a duty of care to all employees and it may be necessary to investigate and take action regarding a complaint without the consent of the complainant.

9.0 Informal procedure

- 9.1 If the employee feels able to, then often the quickest and most effective means of dealing with an issue is to raise the matter informally with the person or persons concerned, explaining that their behavior is offensive or unacceptable. (This is in line with the informal stage of the Grievance procedure.)
- 9.2 The employee should feel free to ask for support from their line manager or a member of SLT at any time.

10.0 Formal procedure

- 10.1 The formal stages of the Grievance procedure should be used to bring a complaint against another employee where the informal procedure has been ineffective.
- 10.2 An employee should keep a written record of any incidents, such as what happened, when and where it occurred, whether there were any witnesses or names of others who have been treated in a similar way. It is also helpful to consider how the situation may be resolved.

11.0 Status of the policy

- 11.1 The policy is not contractual but a breach of the policy may lead to disciplinary action, including the possibility of instant dismissal where gross misconduct has been evidenced to have taken place.

12.0 Links to other policies

- 12.1 Disciplinary Procedure
- 12.2 Grievance Procedure
- 12.3 Student Anti-bullying policy

APPENDIX 1

1.0 Examples of acceptable behaviour that promote dignity at work

- 1.1 Everyone has a duty to see that dignity and respect are promoted in their dealings with **all** their **employees**, irrespective of whether those employees are managers, peers or staff they manage.
- 1.2 This means staff should display the following behaviours when dealing with one another. The list is not exhaustive:
- recognise everyone is different and value a mix of ideas, skills and experience
 - listen carefully to understand each other's views and needs
 - treat everyone with importance to ensure equality
 - communicate clearly and check people have understood
 - use ordinary everyday courtesy and politeness, including using the names that people prefer
 - treat people as they would like to be treated
 - act with sincerity, integrity, honesty, fairness, impartiality and diligence
 - work in a collaborative and co-operative manner
 - give honest feedback based on evidence
 - be open to constructive criticism
 - give people encouragement, help and support when they need and want it
 - trust and be open with your employees
 - respect the diversity of cultures, backgrounds, lifestyles and beliefs that people bring to the workplace
 - listen to, respect and value the diverse ideas, contributions and opinions of employees
 - be sensitive to the needs of others
 - respect the privacy, confidentiality and personal space of others
 - be aware of the effect your behaviour has on others and only make reasonable and manageable demands • show appreciation of good work
 - actively seek to build productive working relationships and partnerships with people across and outside the School
- challenge inappropriate or unacceptable behaviour

APPENDIX 2

Examples of the types of behaviour which may constitute bullying and harassment

1.0 BULLYING

Bullying is regarded as a form of harassment and the overlap between the two is significant. They are both an abuse of power, both can have a devastating effect on the recipient and both are completely unacceptable in the workplace.

Bullying is about intimidation – both in public and in private – that undermines competence, effectiveness, confidence and integrity of the individual or group of individuals, gradually wearing them down and possibly making them feel inadequate in their domestic life as well as at work.

Whilst bullying is most commonly associated with an abuse of power, it can occur at any level within the organisation both up and down the management line as well as across the management structure.

The following list is not intended to be exhaustive but it provides some examples of bullying behaviour which the School considers to be unacceptable:

1.1 Undermining an individual's professional ability for example:

- spreading malicious rumours/making malicious allegations to undermine the victim's reputation
- persistent negative and inaccurate attacks on a colleague's personal or professional performance
- inaccurate accusations about quality of work
- persistent and undue criticism
- removing responsibilities and stealing credit for work
- setting an employee up to fail and then repeatedly reminding them of blunders
- public humiliation including being shouted at in front of other staff
- devaluing with reference to age, gender, race, disability, religion or belief or sexual orientation
- hurtful verbal comments and name-calling
- teasing which makes employee feel uncomfortable/insulted
- aggressive behaviour e.g. direct verbal or physical threat
- insulting, uncooperative attitude or insensitive jokes or pranks
- unreasonable refusal of requests e.g. leaves, training etc.

1.2 Creating extra work or disrupting an employee's ability to work including:

- unreasonable over-scrutiny of work
- persistently setting objectives with impossible deadlines or unachievable tasks
- over-monitoring an employee's performance
- undervaluing an employee's contribution
- withholding information from an employee so he or she is less able to do the job

1.3 Isolating staff including:

- being treated as non-existent
- preventing access to opportunities such as training
- being physically isolated from other staff
- excluding employees by talking solely to third parties to isolate another.

2.0 HARASSMENT

2.1 Harassment can be carried out by individuals or groups and can equally be directed at individuals or groups, whether employees or subordinates, managers or supervisors. It can refer to an isolated incident or repeated actions.

- 2.2 The unwanted conduct is often based on distinguishable ‘grounds’ such as race, sex, gender reassignment , sexual orientation, age, nationality, ethnic origin, disability, religious/ political beliefs , social background, physical appearance, trade union membership, HIV/AIDS status etc.
- 2.3 Harassment may be deliberate and conscious, but it can also be unintentional. It is possible that someone may not be aware that their behaviour is offensive to others. The essential characteristic of harassment is that it is unwanted, unreasonable and offensive to the recipient and not reciprocated. Broadly speaking it is the recipient’s perception that determines what harassing behaviour is to them. It is the effect of the behaviour and not the motives of the perpetrator that is the determining factor. Intention is irrelevant.
- 2.4 Harassment can take the form of:
- physical contact ranging from touching to serious assault
 - verbal and written harassment through jokes, offensive language, gossip and slander, songs, letters, based on an assumption or knowledge of a person’s sexuality, gender identity or race, religious, political conviction etc.
 - visual display of posters, graffiti, inappropriate text or email communications (e.g. “cyber bullying”)
 - obscene gestures
 - coercion ranging from pressure for sexual favours to pressure to participate in political/religious and social groups
 - exclusion or isolation (e.g. from normal workplace conversation).
- 2.5 Specific examples of sexual harassment include:
- unwanted non-accidental physical contact ranging from unnecessary touching, patting, pinching or brushing against an employee’s body, to assault and coercing sexual relations
 - unwelcome sexual advances, propositions or pressure for sexual activity
 - continued suggestions for social activity, within or outside the workplace, after it has been made clear that such suggestions are unwelcome
 - offensive flirting
 - suggestions that sexual favours may further an employee’s career or refusal may hinder it e.g. promotions, salary increases etc.
 - the display of pornographic or sexually suggestive pictures, objects or written materials e.g. pin-ups, calendars
 - leering, whistling or making sexually suggestive comments or gestures, innuendoes or lewd comments
 - conduct that belittles or ridicules or is intimidating or physically abusive because of the employee’s gender, such as derogatory or degrading abuse or insults which are gender-related and offensive comments about appearance or dress. This may include inappropriate forms of address e.g. ‘Love’, ‘My Dear’
 - speculation about an individual’s private life and sexual activities.
- 2.6 Specific examples of harassment on the grounds of gender identity or expression include:
- conduct that belittles or ridicules or is intimidating or physically abusive because of an employee’s gender identity or expression such as derogatory or degrading abuse or insults
 - derogatory remarks, name-calling, teasing, jokes, innuendo or gossip aimed at trans employees, or those who identify with a particular gender or who have undergone, are undergoing, or intend to undergo gender reassignment
 - use of trans-phobic language
 - unwelcome discussion of an individual’s gender identity or expression
 - publicising, or threatening to publicise, any details in relation to transsexual, transgender or gender diverse individuals without their permission
 - the display or sending of offensive letters or publications
 - shunning individuals because of their gender identity or expression
 - offensive actions and physical attack
- 2.7 Specific examples of racial harassment include:
- insensitive jokes or pranks related to race
 - use of threats, abuse, insults, taunts and gibes relating to race

- shunning people because of their race, nationality or ethnic background
- deliberate exclusion from conversations
- making racist insinuations
- being condescending or deprecating about the way ethnic minorities dress or speak
- derogatory remarks, graffiti, jokes
- the display or sending of offensive letters or publications
- use of derogatory nicknames or name-calling
- substituting responsible tasks with menial or trivial ones

2.8 Specific examples of harassment based on an individual's actual or perceived sexual orientation:

- homophobic or bi-phobic comments or jokes
- the asking of intimate questions about someone's personal or sexual life
- assumptions that everyone is heterosexual
- assumptions that gay men are HIV positive
- excluding people because of sexual orientation or perceived sexual orientation
- gossip and speculation about someone's perceived sexual orientation
- homophobic graffiti or the displaying or circulating of anti-gay or anti-lesbian material
- offensive actions and physical attack
- making assumptions that any illness experienced by gay men is HIV related

2.9 Specific examples of harassment of disabled people:

- uninvited touching
- exclusion from social events
- speaking to others rather than to the disabled person directly
- asking intimate questions about a person's impairment
- making assumptions about disabled people e.g. that they don't have a social, sexual or private life
- physical abuse or intimidation
- questioning a disabled person's work capacity and/or ability by making inappropriate demands or requirements e.g. overzealous scrutiny of sickness records
- making assumptions or speculating about someone's impairment
- mimicking the effect of a disability or speech impairment
- ostracising, ignoring and staring
- making fun of a disability
- use of inappropriate terms (e.g. cripple, spastic)
- inappropriate personal questions/comments about a disability
- belittling or patronising comments or nicknames
- removing/displacing aids such as a walking stick or wheelchair without the person's agreement or consent

2.9.1 Please note that these lists are not exhaustive.

STAFF DISCIPLINARY PROCEDURE

1.0 Policy Statement

- 1.1 The trust will provide a fair and consistent method of dealing with alleged breaches of discipline by employees. All action will be undertaken in line with the ACAS Code of Practice on Discipline and Grievance.

2.0 Scope and purpose

- 2.1 The purpose of the procedure is to help and encourage all employees to conform to acceptable standards of conduct at work.
- 2.2 It is also designed to ensure consistent and fair treatment for all staff in relation to their misconduct or alleged misconduct and the disciplinary action taken.
- 2.3 A separate procedure will be used to address issues of professional capability and competence.

3.0 General principles

- 3.1 The senior leadership team are required to familiarise themselves with the disciplinary procedure. Where necessary, briefing sessions or training will be held.
- 3.2 The senior leadership team must manage and monitor employee's conduct and deal with any allegations of misconduct promptly.
- 3.3 It may be appropriate for the senior leadership team, with advice from the HR Adviser, to deal with allegations of minor acts of misconduct through appropriate management advice, or informal action such as counselling, training, coaching or instruction.
- 3.4 An employee has the right to be accompanied by a Trade Union representative or a work employee at formal disciplinary meetings. The Trust should remind the employee of the right to be accompanied prior to a disciplinary meeting.
- 3.5 The person accompanying the employee should be allowed to address the meeting to put and sum up the employee's case, respond on behalf of the employee to any views expressed at the meeting and confer with the employee during the meeting. The companion does not, however, have the right to answer questions on the employee's behalf, address the meeting if the employee does not wish it or prevent the employer from explaining their case.
- 3.6 In the interest of ensuring that disciplinary matters are resolved as speedily as possible, time limits are given for appropriate stages in this procedure. If it is not practicable to adhere to these time limits, they may be amended, ideally by mutual agreement. Due regard will be given to the personal circumstances of all parties involved in the procedure.
- 3.7 Although normal disciplinary standards will apply to Trade Union representatives conduct as employees, the Trust will seek the employee's agreement at an early stage to discuss the circumstances of the case with an official employed by the trade union.
- 3.8 Before any formal action is considered, a full investigation should take place within a reasonable timescale. As a result it may be appropriate to resolve the matter through informal action.
- 3.9 For formal action, the employee will be advised of the nature of the complaint against him or her and will be given the opportunity to give an initial response to the allegations during the investigation process and to state his or her case at a disciplinary meeting, following the investigation, before any decision is made.
- 3.10 Employees will be provided with any written copies of evidence and relevant witness statements in advance of a formal disciplinary meeting.

- 3.11 Normally, the formal disciplinary procedure will be followed in the order of the stages set out below. However, offences of a serious nature may be brought into the procedure at any stage if the allegations are serious and evidence from the investigation is strong.
- 3.12 If evidence gathered suggests that dismissal may be the outcome the employee should be informed prior to the disciplinary meeting is held. At every stage of the procedure, the employee will be advised of the nature of the complaint against them and will be given the opportunity to state their case before any decision is made.
- 3.13 No employee will be dismissed for a first breach of discipline except in the case of gross misconduct, when the penalty may be summary dismissal without notice or payment in lieu of notice.
- 3.14 An employee has the right to appeal against any formal disciplinary action.
- 3.15 The employee will not normally be allowed to raise a separate formal grievance relating to the proposed action and the Grievance Procedure cannot be used to circumvent the consideration of legitimate management action relating to conduct. Any concerns raised will be discussed initially with the employee and their representative and managed within the disciplinary meeting or the appeal process.
- 3.16 Should there be a requirement to make a referral to the DBS, the employee should be notified that such a referral is taking place.

4.0 Investigations

- 4.1 No disciplinary action will be taken against an employee until a full investigation into the circumstances of the matter has been carried out and the employee's initial response to the allegations has been given.
- 4.2 The employee should be offered the opportunity to be accompanied by a Trade Union representative or an employee at an investigation meeting.
- 4.3 Depending on the circumstances of the allegations, it may not always be necessary to conduct an investigation meeting with the employee. If an investigation is to be held, the employee should be informed as soon as possible and be given time to prepare their initial response.
- 4.4 If appropriate and necessary, the employee may need to be suspended whilst the investigation is carried out. The member of the Senior Leadership Team should seek advice from the Headteacher and the HR Adviser on whether to suspend the employee or not. (See 5 below).
- 4.5 An independent member of the Senior Leadership Team will conduct the investigation, with support and advice from the HR Adviser. The person conducting the investigation **must** be different to the person chairing any subsequent disciplinary meeting or any person appointed as a panel member.
- 4.6 If the employee is subject to a criminal investigation, the internal investigation process will need to be delayed until the outcome of the criminal investigation is known. The gathering of evidence e.g. statements from other staff should continue as far as possible, but any contact with the employee should only be made on the advice of the police.

5.0 Suspension pending a disciplinary meeting

- 5.1 There may be circumstances during an investigation where suspension from duty pending the holding of a formal disciplinary meeting may be appropriate. Examples of circumstances in which suspension may be appropriate, depending on the facts of the situation, include some gross misconduct cases; situations where there are risks to an employee's or the Trust's property; or where there are reasonable grounds for concern that evidence may be tampered with, destroyed or witnesses are being influenced. Suspension may also be appropriate when it is in the best interests of the employee, other staff or students to be away from the premises.
- 5.2 The decision to suspend can only be made by the Headteacher or Deputy Headteacher where acting in the capacity of acting Headteacher.
- 5.3 Suspension of an employee should only be taken after careful consideration and advice has been sought from the HR Adviser and it should be made clear to the employee that it is a **neutral act** to protect them and the Trust

whilst the investigation is being carried out.

- 5.4 If the Headteacher decides to suspend an employee from duty, he/she shall meet with the employee to outline the allegations and to inform the employee of the reasons for the suspension, and confirm this in writing without unreasonable delay.
- 5.5 A period of suspension pending a disciplinary meeting should be kept as brief as possible and will be kept under regular review. An employee should not normally be suspended for more than 2 weeks. This may be longer in cases where a criminal investigation is being carried out or where a number of witnesses need to be seen and/or a lot of evidence is to be gathered.
- 5.6 An employee who is suspended from duty shall normally continue to be entitled to his/her full pay during the period of suspension, unless there is a provision in the contract to the contrary.
- 5.7 If an employee is suspended without pay, then he/she shall have a right to appeal against that suspension, and the appeal shall be heard and action taken in a timely manner. Suspension without pay may only be used where this is expressly provided for in the contract.
- 5.8 During the period of suspension the employee should have an appropriate named person as their contact who can answer any questions they may have. The employee may also be given the contact details of an appropriate counselling service e.g. Teacher Support Network in case they wish to seek support during their suspension or the disciplinary process.
- 5.9 During the period of suspension, the employee must not make contact with work employees or attend for work unless required to do so as part of the investigation or disciplinary process.
- 5.10 The suspended employee must be available during normal work times to respond to phone calls, to give information and/or to attend meetings if required to do so.

6.0 Informal Advice/Management Action

- 6.1 Before taking formal disciplinary action, every effort will be made by a member of the Senior Leadership Team to resolve the matter by informal discussions if this is appropriate in the circumstances of the case.
- 6.2 Minor lapses from acceptable standards of conduct will usually be dealt in this way resulting in an informal oral warning or reprimand being issued by a member of the senior leadership team. A member of the Senior Leadership Team will monitor and review the situation as necessary.
- 6.3 If, despite informal discussions (or if informal discussions are not appropriate), the employee's conduct does not meet acceptable standards, the formal procedure, described below, should be used.

7.0 Formal Disciplinary Meetings

- 7.1 If, upon completion of an investigation, there are reasonable grounds to believe that an employee has committed an act of misconduct, the employee will be required to attend a disciplinary meeting. The employee will be advised in writing of the date, time and venue for the meeting, the nature of the alleged misconduct/the allegations, the possible consequences/outcomes of the meeting and be sent any relevant paperwork e.g. a copy of the Disciplinary Procedure, any written evidence, witness statements and advised whether any management witnesses are to be asked to give evidence. The employee should also be informed of their right to be accompanied by a Trade Union representative or an employee and their right to present any further paperwork they wish to refer to at the meeting. The letter with all the above information should be sent to the employee at least 5 working days prior to the date of the meeting.
- 7.2 The employee should confirm their availability, whether they intend calling any witnesses, whether they intend submitting any paperwork and confirm who they are bringing with them to the meeting.
- 7.3 At the disciplinary meeting, the employee will be given an opportunity to state his or her case and to be represented by their Trade Union representative or an employee. If the person accompanying the employee is unavailable on the date of the meeting, the employee may delay the date of that meeting once by up to 10 working days to enable the

chosen companion to attend. The location and timing of any alternative meeting should be convenient to all parties and must not unduly delay the process. No further changes to the date will be accommodated.

- 7.4 If the employee fails, without good reason, to attend a disciplinary meeting, the meeting will take place and a decision will be made, in his or her absence. In other circumstances where it seems likely that the employee will be unable to attend a disciplinary meeting for a lengthy period of time, the Trust reserves the right to go ahead with that meeting, affording the employee the right to either submit written representations and/or to be represented by their Trade Union representative or an employee.
- 7.5 The disciplinary meeting will be chaired by a senior leader who has no prior involvement in the case. Where dismissal is a possible outcome, the meeting will be chaired by the Headteacher or a senior post holder to whom the authority to dismiss has been delegated by the Headteacher. The Trust's HR Adviser will support and advise the Headteacher during the meeting.
- 7.6 The Senior Leader who conducted the investigation cannot be a member of the panel at the disciplinary meeting, but will normally attend in order to present the findings of the investigation and any supporting material.
- 7.7 The outcome of the disciplinary meeting will be confirmed in writing to the employee. Where disciplinary action is the outcome, the employee will be informed of the nature of the action and the right to appeal under this procedure.

8.0 Disciplinary Sanctions/Action

- 8.1 As the outcome of the disciplinary meeting cannot be predicted, the findings of the 'disciplinary panel' could result in the employee being issued with no sanction at all, a first written warning, a final written warning or in dismissal. If the nature of the allegations is serious enough to potentially result in a decision to dismiss, this will be made clear to the employee at the outset of the disciplinary process. An appropriate 'panel' will be convened accordingly.

9.0 Stage 1: First Written Warning

- 9.1 A first written warning will usually be given to the employee if the employee commits a serious act of misconduct or the standard of his or her work performance is seriously inadequate.
- 9.2 In **misconduct** cases, this written warning will give details of the employee's misconduct, the improvement required and the time limit within which such improvement must be achieved. The warning will state that, if the employee commits a further offence of misconduct during the period specified in the warning, action under Stage 2 will be considered. The written warning will also advise the employee of the right of appeal.
- 9.3 In **performance** cases, this written warning will give details of the employee's unsatisfactory work performance, the improvement required, the support available and the time limit within which such improvement must be achieved. The warning will advise the employee as to what steps he or she should take to improve and will state that, unless such improvement is achieved within the period specified in the warning, action under Stage 2 will be considered. The written warning will also advise the employee of the right of appeal.
- 9.4 A copy of the written warning will be placed on the employees personal file. The warning will be disregarded for disciplinary purposes after 12 months, subject to the employee's conduct and work performance having been satisfactory throughout that period.

10.0 Stage 2: Final Written Warning

- 10.1 A final written warning will normally be given to the employee if:
- the employee fails to comply with a first written warning given under Stage 1;
 - despite having been given a first written warning under Stage 1 as the result of misconduct or unsatisfactory work performance, the employee commits a further offence of misconduct, or his or her work performance continues to be unsatisfactory; or

- the employee's misconduct or unsatisfactory work performance, although not considered to be serious enough to justify summary dismissal, is sufficiently serious to warrant a final written warning.
- 10.2 In **misconduct** cases, the final written warning will give details of the employee's misconduct, the improvement required and the time limit within which such improvement must be achieved. The warning will state that, if the employee commits a further offence of misconduct, during the time limit specified in the warning, his or her employment may be terminated. The final written warning will also advise the employee of the right of appeal.
- 10.3 In **performance** cases, the final written warning will give details of the employee's unsatisfactory work performance, the improvement required, the support available and the time limit within which such improvement must be achieved. The warning will advise the employee as to what steps he or she should take to improve and state that, if such improvement is not achieved within the period specified in the warning, his or her employment may be terminated. The final written warning will also advise the employee of the right of appeal.
- 10.4 A copy of the final written warning will be placed on the employee's personal file. The warning will be disregarded for disciplinary purposes after 24 months (although, in exceptional cases, the period may be longer), subject to the employee's conduct and work performance having been satisfactory throughout that period.

11.0 Stage 3: Dismissal

- 11.1 The Headteacher or a member of the Senior Leadership Team to whom the authority to dismiss has been delegated by the Headteacher may give notice of dismissal to the employee if:
- 11.1.1 the employee fails to comply with a final written warning given under Stage 2;
- 11.1.2 despite having been given a final written warning under Stage 2 as the result of either misconduct or unsatisfactory work performance, the employee commits a further offence of misconduct or his or her work performance continues to be unsatisfactory.
- 11.2 In the event of an act of gross misconduct by the employee
- 11.2.1 A Dismissal Hearing will be set up to consider the case and the employee will have the opportunity to present their case before any decision is made to dismiss.
- 11.2.2 The decision to dismiss will be communicated in writing to the employee and will specify the reasons for dismissal and the date on which the employment will terminate. The communication must also notify the employee of his/her right of appeal against the decision to dismiss.

12.0 Gross misconduct

- 12.1 The Headteacher or a designated member of the Senior Leadership Team may summarily dismiss an employee without notice or pay in lieu of notice if, on completion of an investigation and a Dismissal Hearing it is established that the employee has been guilty of gross misconduct.
- 12.2 In the event of summary dismissal, the Headteacher or the member of the Senior Leadership Team shall, without unreasonable delay, provide the dismissed employee with a written statement of the alleged misconduct which has led to the dismissal and the reasons why they consider that the employee was guilty of such misconduct. The employee will also be notified of the right of appeal against the dismissal.
- 12.3 The following are examples of offences which are normally regarded as grounds for summary dismissal:
- Theft or unauthorised possession of any property or facilities belonging to the Trust, or to any employee or student.
 - Serious damage deliberately sustained to Trust property.
 - Deliberate falsification of Trust registers, reports, accounts, expense claims or self-certification forms.
 - Bribery or corruption.
 - Deliberate refusal to carry out duties or reasonable instructions or to comply with Trust rules.

- Serious acts of insubordination.
 - Serious negligence/incompetence resulting in unacceptable loss, damage or injury.
 - Serious incapability and/or misconduct as a result of being intoxicated by reason of alcohol or illegal drugs.
 - Violent or dangerous conduct.
 - Bullying or intimidation.
 - Violation of the Trust's rules and procedures concerning health and safety at work.
 - Unlawful discrimination or harassment.
- 12.4 A criminal offence, which may (whether it is committed during or outside the employee's hours of work for the Trust) adversely affect the Trust's reputation, the employee's suitability for the type of work he or she is employed by the Trust to perform or his or her acceptability to other employees or to students.
- 12.5 Deliberately accessing internet sites containing pornographic, offensive, radical, extreme, terrorist or obscene material.
- 12.6 Any actions that contravene any aspect of the Trust's Safeguarding or Child Protection Policy, including comments about the trust/schools or its employees which cause distress.
- 12.7 Creating contact online which is contrary to professional standards or public decency.
- 12.8 Any action that could bring the Trust into disrepute.
- 12.9 The above examples are not exhaustive or exclusive and offences of a similar nature will be dealt with under this procedure.

13.0 Appeals

- 13.1 An employee who wishes to appeal against a disciplinary decision must do so, in writing, within 10 working days of the date of the decision. The employee should address their appeal to the Headteacher, clearly stating the grounds for their appeal. If the appeal is against a dismissal decision, the employee should address their appeal to the Clerk to the Governors.
- 13.2 Where the appeal is against a written warning, it will be heard by a senior leader who has not been previously involved in the disciplinary process. Wherever possible, the senior leader hearing the appeal will be senior to the member of the senior leader who chaired the original disciplinary meeting.
- 13.3 Where the appeal is against dismissal (including summary dismissal), it will be heard by either:
- the Headteacher, where the decision to dismiss was made by a senior post holder; or
 - the Local Governing Body's Committee where the decision to dismiss was made by the Headteacher. The Committee shall not include the Headteacher or staff members.
- 13.4 The appeal meeting will be held as soon as reasonably practicable after the notice to appeal has been received. The employee will be given at least 5 days' notice of the meeting date to allow him or her to prepare for the meeting.
- 13.5 At the appeal meeting, the employee will be given the opportunity to state his or her case and has the right to be accompanied by a Trade Union representative or an employee.
- 13.6 If the chosen companion of the employee is unavailable on the date of the initial meeting, the employee may delay the date of that meeting once by up to 10 working days to enable the chosen companion to attend. The location and timing of any alternative meeting should be convenient to both the employer and the employee, and must not unduly delay the process.
- 13.7 At the appeal, the disciplinary sanction imposed or decision to dismiss will be reviewed. The appeal decision will be notified to the employee and all parties previously involved. The appeal decision will be final.
- 13.8 (Refer to Procedure for Appeals below)

14.0 Procedure for a Disciplinary Meeting

- 14.1 During the meeting, adjournments may be requested by either party or by the manager/chairperson conducting the meeting and will not be refused unreasonably.
- 14.2 Each party shall inform the other party prior the meeting if they wish to call witnesses.
- 14.3 The manager/chairperson conducting the meeting will ask whether any new evidence has been made available that could not be circulated prior to the meeting and will make a judgement as to whether an adjournment is necessary to allow consideration of such evidence.
- 14.4 The manager/chairperson conducting the meeting will introduce all those present, including each person's role in the meeting, and will explain the purpose of the meeting.
- 14.5 Not every meeting will be conducted in exactly the same way and will depend on the particular circumstances and nature of the allegations. Normally the procedure outlined below should be followed.

15.0 Meeting procedure

- 15.1 The Investigating Officer (IO) supported by the HR Adviser will present the details of the allegation(s) and a report on the investigation undertaken. Witnesses may be called at the appropriate time and questioned by the IO.
- 15.2 The employee and their representative/work colleague may question the IO and witnesses.
- 15.3 The manager/chairperson/committee members may question the IO and the witnesses.
- 15.4 Each witness will attend only for his/her own evidence and will withdraw once his/her evidence is given and questions have been asked.
- 15.5 The employee and their representative or work colleague will present their case against the allegation(s) and explain any special circumstances which may exist. Witnesses may be called at the appropriate time and questioned by the employee.
- 15.6 The IO may question the employee and their witnesses.
- 15.7 The manager/chairperson may ask the IO if he/she has any comments on what has been said by employee or their witnesses.
- 15.8 The manager/chairperson/committee members may question the employee.
- 15.9 As above, each witness will attend only for his/her own evidence and will withdraw once his/her evidence is given.
- 15.10 Should the manager/chairperson conducting the meeting wish to clarify any issue with either the employee or IO they will do so at this point.
- 15.11 The IO or the HR Adviser will summarise the case against the employee without introducing any new factors.
- 15.12 The employee and/or companion will summarise their case against the allegation without introducing any new factors.
- 15.13 The manager/chairperson conducting the meeting will outline the next stages in the process and when a decision will be conveyed.
- 15.14 After the meeting, the manager/chairperson/committee members will decide whether or not the allegations are substantiated. The manager or committee members may seek guidance from the HR Adviser on procedural matters.

- 15.15 If the manager/chairperson/committee members decide, on the balance of probability that the allegations are substantiated having considered all relevant factors an appropriate disciplinary sanction will be agreed. Examples of relevant factors to be taken into account include mitigating factors such as health, domestic, bereavement as well as the current disciplinary record of the employee, their length of service at the Trust, the nature of the offence, the evidence produced by all parties at the meeting, the statements and answers provided by witnesses and any sanctions imposed in the past for similar offences.
- 15.16 Once the decision has been made, written confirmation of the decision will be sent to the employee without unreasonable delay, normally within 48 hours or as soon as practicable.
- 15.17 The employee will be advised of their right to appeal against the decision. Any appeal should be made to the Headteacher, or in cases of dismissal, to the Clerk to the Governors. Appeals should be lodged within 10 working days of the date of the letter notifying the employee of the decision and should outline the details and reasons for the appeal.

16.0 Procedure for Appeals

- 16.1 Where an appeal is against a written warning, it will be heard by a senior manager who has not previously been involved in the disciplinary process in question. Wherever possible, the manager hearing the appeal will be senior to the manager who chaired the original disciplinary meeting.
- 16.2 Where an appeal is against dismissal (including summary dismissal), it will be heard by the Governors Committee. The Committee shall not include the Headteacher or staff members.
- 16.3 Not every meeting will be conducted in exactly the same way and will depend on the particular circumstances and nature of the Appeal.

17.0 Appeal Meeting Procedure

- 17.1 The chair of the meeting will introduce those present, including each person's role in the meeting, and will explain the purpose of the meeting.
- 17.2 The employee or their representative or work colleague will state the precise nature of the appeal. He/she will then explain his/her case and any special circumstances which may exist.
- 17.3 Where appropriate, the employee may introduce any witnesses.
- 17.4 The chair of the meeting, and/or committee members, may question any witnesses.
- 17.5 Each witness will attend only for his/her own evidence and will withdraw once his/her evidence is given.
- 17.6 If necessary, the chair of the meeting may wish to have the manager who made the original disciplinary decision present in order to ask any relevant questions.
- 17.7 The employee, their representative or work colleague may question the manager who made the original disciplinary decision.
- 17.8 The manager who made the original disciplinary decision will withdraw.
- 17.9 The employee or their representative/work colleague will be asked to summarise the appeal, with no new factors to be introduced.
- 17.10 After the meeting, the chair of the meeting (or Committee) will review the case before making decision. The chair of the meeting (or Committee) will take into account the original disciplinary decision and the employee's representations from the appeal meeting.

17.11 Once the decision is made following the meeting, written confirmation of the decision will be sent to both parties without unreasonable delay, normally within 48 hours or as soon as practicable,

STAFF DRESS CODE POLICY

1.0 Introduction

- 1.1 This policy sets out the expectations of the Directors and Governors in relation to the corporate dress code. The policy applies to all staff, including agency workers and volunteers across the Trust.
- 1.2 The Dress Code is necessary in order to:
- present a smart and professional image, thereby increasing student, parental and public confidence
 - support uniformity and consistency in standards of dress
 - have regard to health and safety considerations for staff where necessary and appropriate
 - model high standards to students who themselves are required to dress appropriately
- 1.3 The school considers the way employees dress and their appearance to be of significant importance in portraying a corporate and professional image to all users of its service, whether patients, visitors, clients or employees.
- 1.4 The school recognises the diversity of cultures, religions and disabilities of its employees and will take a sensitive approach when this affects dress and uniform requirements. However, priority will be given to health and safety and security considerations.
- 1.5 The Staff Dress Code Policy is designed to guide Senior Leadership Team and employees on the application of school standards of dress and appearance. The policy is not exhaustive in defining acceptable and unacceptable standards of dress and appearance and staff should use common sense in adhering to the principles underpinning the policy.
- 1.6 Local dress codes should be agreed for specific staff groups/services to clarify the sensible application of the school Dress Code. Such local priorities must be wholly consistent with the principles contained in this dress code and the law relating to protective personal equipment (PPE). Local dress codes must be subject to relevant assessments which would include an equality impact assessment and a risk and health safety assessment (see Risk Assessment Form), and then approved by the Health and Safety Officer in consultation with the Headteacher.
- 1.7 All employees are supplied with a School identity security badge which must be worn, be visible and available at all times when on duty or acting in an official capacity representing the school.
- 1.8 All staff are required to comply with the principles of the Dress Code Policy. Failure to adhere to the School's standards of dress and appearance may constitute misconduct and may result in formal disciplinary proceedings.
- 1.9 Employees are responsible for following the standards of uniform/attire and appearance laid down in this policy and should understand how this policy relates to their working environment; health and safety, particular role and duties and contact with others during the course of their employment.
- 1.10 Senior Leadership Team are responsible for ensuring the staff Clothing Code Policy is adhered to at all times in respect of the employees they manage.

2.0 Clothing Code^[1]_{SEP}

- 2.1 For staff not required to wear a uniform, examples of acceptable clothing include:
- skirts, blouses, very smart T-shirts, jumpers, jackets, dresses, culottes, suits, trousers, slacks, business suits, sports jackets, blazers, trousers, shirts with collars (long or short sleeve), jumpers.
- 2.2 Unacceptable Clothing.

2.2.1 Unless part of a departmental uniform, appropriate clothing relevant to their post or for a school promotion, the following items of clothing are examples of unacceptable clothing, either on the grounds of health and safety or for the school's public image:

- Casual trousers or skirts (all colours and styles), leggings, tracksuits, casual sports T-shirts, leisure shorts, combat trousers, sweat-shirts, baseball caps/hats, overly tight or revealing clothes, including mini-skirts, low cut tops or those revealing the midriff and clothing bearing inappropriate slogans. Trousers or skirts that are of a length that they touch the ground when walking is not acceptable on safety and hygiene grounds, in some areas of the school.

3.0 Personal Protective Clothing and Equipment

3.1 The provision of personal protective equipment in relevant areas of the school is the responsibility of the departmental manager who must ensure that personal protective clothing and equipment is available to the employee, if identified as necessary in the risk assessment, in accordance with the regulations (i.e. COSHH and local/statutory).
SEP Staff in roles that require protective clothing are required to wear this whilst carrying out their duties in accordance with health and safety requirements. If individuals are unsure about such requirements they should discuss this with their manager.

4.0 Footwear

4.1 Footwear must be safe, sensible, in good order, smart and clean and have regard to health and safety considerations. Trainers, (unless specifically required for the job role), high stiletto heels and plastic flip-flops are not acceptable. Certain jobs require staff to wear protective footwear. These staff must wear the correct footwear for undertaking their work and if staff are uncertain they must check with their line manager.

5.0 Tattoos

5.1 Visible tattoos are to be discouraged and where present should not be offensive to others. Where they are deemed to be offensive they should be appropriately covered.

6.0 Jewellery and Piercing

6.1 Jewellery for all staff must be kept to an appropriate minimum. Facial/body piercing is discouraged and should be removed before coming on duty. This includes tongue studs. If staff have piercing for religious or cultural reasons, these must not present a quantifiable health and safety, for example, infection prevention and control risk.

7.0 Hair

7.1 Hair should be neat and tidy at all times and in appropriate areas e.g. catering, long hair should be tied back. Headscarves worn for religious purposes are permitted in most areas. Beards should be neatly trimmed, unless this reflects the individual's religion where employees should be tidy.

8.0 Facial Covers

8.1 Staff who wear facial coverings for religious reasons are expected to remove them whilst on duty. This will ensure that the member of staff is identifiable and facilitate communication.

9.0 Uniform Requirement

9.1 Staff who smoke must not have their ID badge visible on outside clothing so as to be associated with the school.

9.2 All catering staff involved in the preparation and service of food must wear the appropriate uniform, headwear and, where required, protective shoes. For hygiene and health and safety reasons, no jewellery can be worn other than a plain band/wedding ring, and a pair of plain small stud earrings (i.e. no inserts or stones). Staff must ensure that their hair is kept covered at all times, and beards must be covered with an appropriate facial mask/hood when preparing food.

9.3 Staff must ensure that uniforms are laundered in accordance with guidance provided on the uniform.

EQUALITY & DIVERSITY POLICY

1.0 Introduction

- 1.1 The Gryphon Trust is committed to providing and promoting equal opportunities in employment and learning and to avoiding unlawful discrimination. We believe that celebration of a diverse community of learning an intrinsic element in achieving successful outcomes for our students and staff.
- 1.2 Compliance with this policy should ensure that employees do not commit unlawful acts of discrimination.
- 1.3 Striving to ensure that the school environment is free of harassment and bullying and that everyone is treated with dignity and respect is a key aspect of promoting equal opportunities at The Gryphon Trust.

2.0 Scope

- 2.1 This policy applies to everyone who becomes or seeks to become a member of The Gryphon Trust community whether as a member of staff (permanent or temporary), applicants, students, volunteers, contractors or other stakeholders. This policy applies to all school activities.
- 2.2 The school aims to eliminate discrimination on the grounds of age, disability, gender, race, religion or belief, ethnic or national origin, sexual orientation, gender reassignment, pregnancy and maternity, marriage and civil partnership or social class.

3.0 Purpose

- 3.1 The purpose of this policy is to make clear the expectations of all schools within the Trust in promoting equality and celebrating diversity to ensure a consistently high quality and pro-active approach to fulfilling our responsibilities.
- 3.2 All staff and students are required to abide by this policy and actions and words that are contrary to either the word or the spirit of this policy will be robustly challenged through appropriate disciplinary measures.

4.0 Legal Requirements

- 4.1 This Equality and Diversity policy is based on the Equality Act 2010, which defines the protected characteristics as:
 - Age
 - Disability
 - Gender
 - Race
 - Religion and belief
 - Sexual Orientation
 - Gender Reassignment
 - Pregnancy and maternity
 - Marriage & Civil Partnerships
- 4.2 Whilst all nine characteristics apply in the employment duties of the Act, the characteristic of marriage and civil partnerships is not included in the education duties of the Act. It is unlawful to either directly or indirectly discriminate against a person on these grounds.
- 4.3 Other aspects of a person's identity, background or circumstances can cause them to experience discrimination, for example a person's socio-economic status, class, background, appearance or alternative lifestyle. The school is committed to advancing equality and eliminating discrimination on these and other grounds.
- 4.4 The school has an Equality Plan which is available to all staff. The scheme outlines the school's aims and plans in terms of equality and diversity. Consultation with stakeholders has taken place to agree equality objectives and an action plan, which are incorporated into the scheme.

5.0 Marketing and Recruitment

- 5.1 School marketing and publicity material, recruitment and admission procedures will focus on the individual needs of students.
- 5.2 Marketing and publicity material will assure all types of applicant that they will be welcomed at the school. The school will identify courses where particular groups are under-represented and implement strategies to promote equality.
- 5.3 All advertising for staff vacancies will include a statement on the School's Equality and Diversity Policy. All recruitment procedures, promotions, transfers and training for staff will be carried out in strict accordance with current legislation.

6.0 The Curriculum

- 6.1 The curriculum includes course content, learning and teaching methods, work experience and shadowing, and methods of review, assessment and evaluation. The school will provide a curriculum that offers all students an equal opportunity to achieve their academic potential and which ensures there is parity of esteem between all courses.
- 6.2 The curriculum of the school will promote positive images of all peoples, regardless of age, gender, ethnic group, class, sexual orientation, transgender, physical or cognitive ability or other personal circumstances. In every course and subject the resource materials presented to students will be monitored and reviewed so that they are free of discriminatory attitudes, images and language (unless they are to be analysed critically in the context of the pursuit of equal opportunities), and promote good relations between people from different groups.
- 6.3 Any user of the school's Information Technology facilities, including email and the Internet, who creates or communicates any data or images that could be deemed as offensive to other members of the school will be subject to the school's disciplinary procedures.

7.0 Equal opportunities in employment

- 7.1 The school will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, and opportunities for training, pay and benefits, discipline and selection for redundancy.
- 7.2 Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where necessary.
- 7.3 The school will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to these standard working practices and will refuse such requests only if the organisation considers it has good reasons, unrelated to any protected characteristic, for doing so. The school will comply with its obligations in relation to statutory requests for contract variations. The school will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.
- 7.4 The school will monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process.

8.0 Customers, suppliers and other people not employed by the school

- 8.1 The school will not discriminate unlawfully against customers using or seeking to use goods, facilities or services provided by the school.
- 8.2 Employees should report any bullying or harassment by customers, suppliers, visitors or others to their manager who will take appropriate action.

9.0 Training

- 9.1 The school will provide training in equal opportunities to managers and others likely to be involved in recruitment or other decision-making where equal opportunities issues are likely to arise.
- 9.2 The school will provide training to all existing and new employees and others engaged to work at the school. The school will provide additional training to managers to enable them to deal more effectively with complaints of bullying and harassment.

10.0 Responsibilities

10.1 The Governing Body designates the Headteacher as having overall responsibility for equality issues at their school.

10.2 Governors are responsible for ensuring that:

- A link Governor is appointed who works with the Senior Leadership Team to champion Equality and Diversity.
- They are aware of the Governing Body's statutory responsibilities in relation to equality legislation as an employer and service provider.
- The membership of the Governing Body strives to reflect the diversity of the communities served by the school.
- They respond to monitoring information on staff, students and applicants and agree a course of action.

10.3 The Senior Leadership Team is responsible for ensuring that:

- They are aware of the school's statutory duties in relation to equality and diversity legislation.
- All policies, procedures are equality impact analysed.
- Procedures for challenging all forms of discrimination, harassment, victimisation and unacceptable behaviour are widely promoted.
- A positive, inclusive ethos is created encouraging feedback.
- Members of staff understand the significance of equality and diversity and know how to incorporate them into their work.

10.4 Managers and staff are responsible for ensuring that:

- They are aware of the school's statutory duties and policies and procedures are implemented with regard to equality and diversity issues.
- They challenge inappropriate behaviour by students, staff, partner contractors, work placement providers and other contractors.
- Student induction programmes and tutorial programmes reflect the school's commitment to promote equality of opportunity.
- Curriculum activities actively embed equality and diversity issues.
- Staff induction, continuous professional development and performance management reflect the school's commitment to equality of opportunity.
- They participate in and promote appropriate equality and diversity training.
- They provide teaching, learning and assessment methods, support and resources that meet the individual needs of students.
- They uphold and engage with the School policy on equality and diversity.

10.5 Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under the school's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

11.0 Grievances

11.1 Staff who consider that they may have been unlawfully discriminated against, may use the school's grievance procedure to make a complaint.

- 11.2 The school will take any complaint seriously and will seek to resolve any grievance that it upholds. Staff will not be penalised for raising a grievance, even if the grievance is not upheld, unless your complaint is both untrue and made in bad faith.
- 11.3 Use of the school's grievance procedure does not affect your right to make a complaint to an employment tribunal. Complaints to an employment tribunal must normally be made within three months beginning with the act of discrimination complained of.

12.0 Procedures

- 12.1 It is the responsibility of all members of the school community to ensure that the Equality and Diversity Policy is fully implemented, and that action is taken in instances of a breach of the Policy.
- 12.2 In order to further promote the Equality and Diversity Policy, the school will monitor student and staff recruitment, the curriculum, assessment procedures and student achievement, and take appropriate action to address any issues arising. Monitoring reports will be regularly.
- 12.3 All allegations of a breach of the Equality and Diversity Policy must be reported to a member of staff. Students may report an allegation to any member of staff, preferably their tutor. Staff should report allegations to their Head of Department, Line Manager or Deputy Headteacher.
- 12.4 The appropriate member of the Senior Leadership Team must be informed of all allegations/incidents. In all cases, the appropriate member of the Senior Leadership Team will investigate the allegation to ascertain the facts and will attempt to resolve minor issues through reconciliation including verbal or written apology to the victim. A written record of the incident/allegation will be kept.
- 12.5 Where it appears to the appropriate member of SLT that there has been a serious breach of the Equality and Diversity Policy or where a minor issue is unresolved, the matter must be referred to the Headteacher, who will consider appropriate action under the student disciplinary procedure, the staff disciplinary procedure and if appropriate refer the matter to the police. The advice of the school's HR Adviser should also be sought.
- 12.6 In carrying through these guidelines, all staff and students must take great care to ensure that they deal with the effects the incidents have on all those concerned; that they provide support to those wronged; and all those wronged are not disadvantaged.

13.0 Monitoring and Review

- 13.1 This policy will be monitored periodically by the School to judge its effectiveness and will be updated in accordance with changes in the law.
- 13.2 Information provided by job applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with the Data Protection Act 1998.

FAMILY FRIENDLY POLICY

(Incorporating maternity, paternity, adoption, and shared parental leave)

Contents:

Part A - Maternity

Part B - Paternity

Part C - Adoption

Part D - Shared Parental Leave policy & procedure

Part E - Additional related circumstances

Time off for IVF Treatment

Time off for Foster Carers

Appendices (Forms)

Appendix 1 – Application for Maternity Leave

Appendix 2 - Application for Paternity Leave

Appendix 3 - Application for Adoption Leave

Appendix 4 - Application for Shared Parental Leave

PART A - MATERNITY

MATERNITY LEAVE POLICY

1.0 Introduction

1.1 This policy applies to all pregnant employees and those who have recently given birth. It aims to ensure that employees who are new or expectant mothers can remain in employment without their Health and Safety being put at risk in accordance with UK employment legislation and that their employment rights are protected.

2.0 Eligibility

2.1 All female employees regardless of their length of service or number of hours worked are entitled to Maternity Leave provided that the School has been notified at least 15 weeks before the week in which the baby is due.

3.0 Principles

3.1 All pregnant employees will have:

- The right to 52 weeks leave from work – 26 weeks Occupational Maternity Leave (OML) and 26 weeks Additional Maternity Leave (AML).
- The right to return to the job in which they were previously employed with terms and conditions no less favourable than those which would have been applicable had they not been absent.
- The right for all terms and conditions (excluding pay) to be continuous during the period of Ordinary Maternity Leave.
- Special conditions regarding their Health and Safety.
- Protection from dismissal on pregnancy related grounds.
- The right to paid time off to attend antenatal appointments regardless of length of service or hours of work. They may however be asked to provide evidence of appointments by their Line Manager.

4.0 Health and Safety

4.1 The Trust aims to ensure that all employees who are pregnant are afforded the protection of the relevant Health and Safety legislation. In order to do this, employees are encouraged to inform their Line Manager and the Headteacher as soon as possible that they are pregnant.

4.2 Under the Management of Health and Safety at Work (Amendment) Regulations 1994, the School is required to carry out a risk assessment of the work processes new, expectant and breastfeeding mothers carry out and of any substances to which they are exposed. Once the Headteacher has been notified of the pregnancy, they will arrange for a risk assessment to be carried out. Any risk to the mother or her baby which is identified, must then be appropriately dealt with so that the risk can be avoided. This may include temporary variations to working, or in extreme cases suspension from work on full pay. In addition, the employee has an obligation to preserve and protect her own Health and Safety.

5.0 Time off for Ante-Natal Care

5.1 An employee who is pregnant and has made an appointment for antenatal care on the advice of a registered medical practitioner, midwife or health visitor, has the right to reasonable time off with pay, to attend the appointment.

5.2 The employee should give as much advance notice of appointments as possible and are required to produce evidence of pregnancy e.g. MatB1 Certificate and the appointment if the Line Manager requests (except in the case of the first appointment).

6.0 Maternity Leave Entitlement

- 6.1 All pregnant employees who have applied for Maternity Leave will be entitled to OML irrespective of whether they are part or full time or the length of service they have with the School.
- 6.2 **Ordinary Maternity Leave (OML)** is for a 26 week period during which the employee will be treated as being temporarily absent from work and the terms of the Contract of Employment (excluding pay) are assumed to continue.
- 6.3 **Additional Maternity Leave (AML)** This is for an additional 26 weeks to start at the end of the OML. Any period of AML will qualify as continuous service. For any employee who does not return to work, continuous service will cease at termination of their contract.

7.0 Parental Bereavement Leave and Pay

- 7.1 From April 2020, all employed parents have the right to 2 weeks leave if they lose a child under the age of 18, or suffer a stillbirth from 24 weeks of pregnancy. Parents will be able to claim pay for this period, subject to meeting eligibility criteria, already outlined in this policy.

8.0 Maternity Pay Entitlement

- 8.1 Depending on length of service, there are 3 types of Maternity Pay. Please see the table below (please note that Maternity Allowance is paid through the local DWP Office):

- 8.2 **Maternity Allowance (MA) (Less than 26 weeks continuous service at the 15th week prior to the Expected Week of Childbirth (EWC))** If the employee has less than 26 weeks continuous service (calculated from their continuous employment date to the 15th week prior to the EWC) then they will not be entitled to any pay during their Maternity Leave period. They may however be entitled to claim Maternity Allowance. This is payable for 26 weeks and must be claimed directly from the DWP. Payments start at the commencement of the employee's OML but will stop should the employee return to work prior to the end of her 26 weeks. There are a number of criteria for claiming Maternity Allowance; guidance should be sought from the local DWP advisory service, or at www.dwp.gov.uk

Length of Service @ 15th wk before Expected Week of Childbirth (EWC)	Maternity Allowance	Statutory Maternity Pay	Occupational Maternity Pay
0-25wks	Y	N	N
26wks – 51wks	N/A	Y	N
52wks plus	N/A	Y	Y

- 8.3 If an employee is eligible for MA, the Finance Office will provide the employee with a completed SMP1 form and any payments, including Maternity Allowance, will be determined by the Department of Social Security (DSS).
- 8.4 **Statutory Maternity Pay (SMP) (More than 26 weeks continuous service at the 15th week prior to EWC, but less than 1 year)** SMP is paid for 39 weeks and consists of 6 weeks paid SMP at 90 % of average earnings and then at the flat rate SMP (or 90% of average earnings if that is lower) for the remaining 33 weeks followed by up to 33 weeks.
- 8.5 In order to qualify for SMP an employee must:
- Have worked for the Trust continuously for a period of at least 26 weeks at the 15th week before EWC.
 - Have average weekly earnings in the 8 weeks up to and including the 15th week at least equal to the lower earnings limit for NI contributions.
- 8.6 Should the Trust decide that an employee is not entitled to SMP, the Trust shall give the employee form SMP1 within 7 days of making their decision.

9.0 Occupational Maternity Pay (OMP)

9.1 All pregnant employees who have completed not less than one year's continuous service at the 15th week before their EWC and who confirm in writing that they intend to return to the School's employment after childbirth, are eligible for OMP. The information regarding paid maternity leave is summarised as follows:

9.2 Following receipt of a signed declaration that an employee intends to return to work, they will be entitled to the following maternity pay:-

- The first four weeks of maternity leave will be paid at full pay (SMP will be included in this payment).
- The next two weeks (weeks 5 & 6) maternity leave will be paid at 90% average contractual weekly salary including SMP (as long as this does not exceed full pay).
- The following 12 weeks (weeks 7 to 18) of maternity leave will be paid at half average contractual weekly earnings plus SMP (as long as this does not exceed 90% of pay).
- The final 21 weeks (weeks 19 to 39) will be at the lower rate SMP or 90% of average weekly earnings if this is less.

9.3 Repayment of Occupational Maternity Pay

9.3.1 In the event that the employee does not return to work at the School for a period of at least 13 weeks (or the equivalent if they return part time), they will be required to refund the salary paid to them in excess of their statutory entitlement. They will not be required to repay the SMP element.

10.0 Pension Scheme

10.1 Employees who are members of the Teachers' Pension Scheme or the Local Government Pension Scheme, will continue to pay pension contributions based on the actual pay received. Unpaid leave does not count towards pensionable service. On return to work, employees can request to pay contributions for the unpaid period, this is based on their pay immediately prior to the period of unpaid leave. Requests are to be made in writing to the Finance Office

11.0 Entitlements in the event of a stillbirth or miscarriage

11.1 If an employee has a miscarriage before the end of the 24th week of their pregnancy or their baby is stillborn before that date, they are not entitled to maternity benefits. However, they will be entitled to statutory sick pay and payments in accordance with the Managing Sickness Absence Policy. The employee will need to provide a doctor's certificate to cover any sickness absence.

11.2 If an employee has a stillbirth after the end of the 24th week of their pregnancy, they are entitled to receive the full maternity benefits that they would have been entitled to receive had the baby not been stillborn.

11.3 The Line Manager and/or the Headteacher should remind the employee that they can contact the relevant support services for confidential support and counselling at any time should they need it in the circumstances.

12.0 Annual Leave

12.1 An employee will continue to accrue contractual annual leave throughout their period of Ordinary and Additional Maternity Leave.

12.2 During any period of paid maternity leave (weeks 1–39) employees will accrue a bank holiday allowance in addition to their normal contractual annual leave entitlement. Following this period (weeks 40-52) bank holiday allowance is included within the statutory leave entitlement.

12.3 Annual leave cannot be taken during maternity leave but can be taken either before maternity leave commences or once it has finished (subject to the agreement of the Line Manager and, if appropriate, the Headteacher).

12.4 Any outstanding occupational annual leave may be paid at the end of the leave year if requested by the employee. Statutory holiday cannot be paid in lieu.

13.0 Temporary Contracts

13.1 Maternity benefits are available to all female employees including hourly paid or sessional employees and workers on fixed term contracts irrespective of the length of contract providing they have the relevant service.

13.2 If an employee on a Fixed Term Contract qualifies for SMP but their contract expires before they are due to return to work, the School will continue to pay the full SMP entitlements to the end of the 39 week period. Service with the School, and entitlements to accrue annual leave, will cease on the termination date of the contract.

14.0 Keeping in Touch (KIT) Days

14.1 This provision is designed to aid the employee's return to work and to make it easier for them to keep in touch with their Line Manager and work colleagues during their maternity leave.

14.2 Time Off for KIT Days

14.3 Employees can work for up to a maximum of 10 days during their Maternity Leave without bringing the leave to an end. Employees are not permitted to have KIT days during the first two weeks after childbirth. However, other than this period KIT days can be worked by mutual agreement between the employee and Line Manager during either OML or AML. KIT days do not have to be taken consecutively but any amount of work done during the day will count towards one KIT day.

14.4 Managers may make reasonable contact with female employees regardless of whether KIT days are used.

14.5 Payment for KIT Days

14.5.1 KIT days taking place during Ordinary Maternity Leave are paid at their normal daily rate, that is 1/260th of their yearly salary. Those KIT days taking place outside this period will be unpaid, unless SMP is still being received.

15.0 Maternity Leave Procedure

15.1 To apply for Maternity Leave, an employee must notify their Line Manager at least 8 weeks or as soon as is reasonably practical, prior to the date they intend to start Maternity Leave. Failure to do so may result in loss of certain maternity rights.

15.2 Unless otherwise stated it will be assumed that female employees are taking the full Maternity Leave entitlement.

16.0 Application for Maternity Leave

16.1 Applications for Maternity Leave can be made on the Application for Maternity Leave form (**See Appendix-1**)

16.2 Applications should be passed by the Line Manager to the Finance Manager and a reply from the headteacher to the employee in writing confirming the date Maternity Leave is to commence and giving details of the employee's maternity entitlements.

16.3 Prior to commencing Maternity Leave, the employee will need to give the original copy of the MATB1 form to the Finance Manager. Payment of Statutory Maternity Pay cannot be made until the MATB1 has been received.

17.0 Commencement of Maternity Leave

17.1 Employees have the right to commence Maternity Leave on any date between the 11th week prior to the EWC and the EWC.

- 17.2 **Commencement of Maternity Leave for other reasons** -If an employee is absent from work after the 4th week prior to the EWC and this absence is attributed, wholly or partly, to the pregnancy, then the Maternity Leave will start from the first day after the fourth week before the EWC or the start of the absence whichever is the later.
- 17.3 Any sickness prior to the 4th week before the EWC (or prior to the date of commencement of Maternity Leave whichever is earlier) will be treated as sick leave under the contractual terms.
- 17.4 **Early birth** - If the child is born before the date on which Maternity Leave is due to start, the Maternity Leave will commence the day after the date on which the child is born.

18.0 The Right to Return to Work

- 18.1 Following OML, the employee has the right to return to work in the same role on the same terms and conditions. On return from AML the employee is entitled to return to the same role unless this is not reasonably practical, in which case, a suitable alternative position will be sought. They will also have the right to request flexible working.
- 18.2 There is no automatic right to return to work on fewer hours. All requests for flexible or part time working will be fully considered on an individual basis and decisions will be made considering the business needs of the School and the ability to accommodate a flexible/part time working request within the team. (See also the Flexible Working Policy and Procedure).

19.0 Return to Work Procedure

- 19.1 Employees will be expected to return to work 52 weeks from the date of commencement of their Maternity Leave. If an employee wishes to return to work earlier than the expected end date of their AML or earlier than a previously stated return date, they must inform their Line Manager and the Headteacher, in writing, at least 8 weeks prior to their return to work. If they fail to provide 8 weeks or more notice, their return may be postponed for a period of 8 weeks from when notice was received.
- 19.2 Alternatively, if the employee decides not to return to work, they must give written notice to their Line Manager, who will forward the resignation to the Finance Manager for processing.

PART B – PATERNITY LEAVE

PATERNITY LEAVE POLICY

1.0 Introduction

1.1 This policy has been developed to provide employees with guidance on their entitlements and the procedure to follow if requesting paternity leave. Paternity Leave may be requested employees of any gender who meet eligibility criteria. No employee will be treated less favourably, suffer detriment or be dismissed because he or she requests or takes paternity leave. However, the misuse of paternity leave, such as the use of leave for reasons other than to care for the child or support the mother, or failure to follow the correct procedure may result in disciplinary action.

2.0 Eligibility

2.1 To be eligible to request paternity leave and pay, an employee must be either the biological father of the child, married to or be the partner/same sex partner of the child's mother, or of the person adopting a child under the age of 18.

2.2 Employees must also have:

- a minimum of 26 weeks continuous service by the end of the 15th week before the Expected Week of Childbirth (EWC) **or**
- a minimum of 26 weeks continuous service as at the end of the 'relevant week' which is, in the case of an adopted child, the end of the week in which the child's adopter receives formal notification from the Adoption Agency that he or she has been matched with a child.
- Have weekly earnings above the Lower Earnings Limit (LEL) for NI contributions

3.0 Principles

3.1 All eligible employees will have the right:

- To take paternity leave and resume normal working afterwards.
- To receive statutory paternity pay.
- Not to be subjected to a detriment or dismissed for a reason related to the fact that he or she has requested or taken a period of paternity leave.

4.0 Paternity Leave Entitlement

4.1 Statutory Paternity Leave (SPL) is for a maximum of a two-week period during which the employee will be treated as being temporarily absent from work and the terms of the Contract of Employment are assumed to continue.

4.2 SPL must be taken in one go as either a single week or two weeks consecutively. A week is the same amount of days that are normally worked in a week e.g. if the employee works on Mondays and Tuesdays, a week is two days. It may not be taken as separate days.

4.3 In addition, eligible employees may also take two days Occupational Paternity Leave (OPL). These days may be taken separately.

4.4 All Paternity Leave must be taken within 56 days of the birth or placement of the child.

4.5 An employee can still get Paternity Leave or pay if the baby was stillborn from 24 weeks or born alive at any point during the pregnancy. The Line Manager should remind the employee that they can contact the relevant support services for confidential support and counselling at any time should they need it in the circumstances.

5.0 Paternity Pay Entitlement

5.1 Statutory Paternity Pay (SPP) is paid at the statutory rate or 90% of the employees average weekly earnings if this is less than the SPP rate.

5.2 Occupational Paternity Pay (OPP) is paid at an employee's normal contracted rate of pay.

6.0 Paternity Leave Procedure

6.1 Application for Paternity Leave

6.2 Employees who wish to apply for Paternity Leave, must complete the Application for Paternity Leave form. (**See Appendix B**). Requests for Paternity Leave must be made at least 15 weeks prior to the beginning of the week when the baby is due or within 7 days of being told by the Adoption Agency that they have been matched with a child.

7.0 Commencement of Paternity Leave

7.1 The School will not defer leave if the request to take Paternity Leave is immediately after the birth of the baby or immediately after the adoption of a child.

7.2 The School will endeavour to honour all requests for Paternity Leave however, requests may be subject to deferment where the absence will unduly disrupt the work of the School. Any postponement will be discussed with the employee and a new date agreed that is within six months of the original request and no later than 56 days after the birth or placement of the child. The employee will receive confirmation in writing stating the reason for the postponement and the new dates of the Paternity Leave.

7.3 Paternity Leave cannot commence prior to the birth of the baby.

8.0 The Right to Return to Work

8.1 Employees have the right to return to work in the same role on the same terms and conditions. They will also have the right to request flexible working (See also the Flexible Working Policy and Procedure).

8.2 NB: Paternity Leave is normally granted per birth or placement and not per child in the case of multiple births. However this may be reviewed at the discretion of the Headteacher

PART C – ADOPTION LEAVE

ADOPTION LEAVE POLICY

1.0 Introduction

1.1 This Adoption Leave Policy has been developed to provide employees with guidance on their entitlements and the procedure to follow for adoption leave. Adoption Leave is the right to take paid leave when a child up to 18 years of age is newly placed with a member of staff for adoption. No member of staff will be treated less favourably, suffer detriment, or be dismissed because he/she requests Adoption Leave. However, the misuse of Adoption Leave such as the use of leave for reasons other than to care for the child or support the mother, or failure to follow the correct procedure, may result in disciplinary action being taken.

2.0 Eligibility

2.1 To be eligible to request Adoption Leave an employee must be newly matched with a child for adoption by an approved Adoption Agency, and have continuously worked for the School for 26 weeks prior to the week in which they are notified that they are matched with a child for adoption.

2.2 Adoption from a partner/spouse is not eligible.

3.0 Principles

3.1 All employees who are legally adopting a child (excluding adoption from a partner/spouse) will have:

- The right to **52 weeks** leave from work – 26 weeks Ordinary Adoption Leave (OAL) and 26 week Additional Adoption Leave (AAL).
- The right to return to the job in which they were previously employed, with terms and conditions no less favourable than those which would have been applicable had he/she not been absent.
- The right for all terms and conditions (excluding pay) to be continuous during the period of adoption leave (ordinary and additional).

4.0 Adoption Leave Entitlement

4.1 Adoption Leave can be taken by either parent but not by both. All employees have a statutory right to OAL and AAL.

4.2 A maximum of 52 weeks Adoption Leave can start up to 14 days prior to the date in which the child is expected to be placed with the employee.

4.3 Employees can change the date they commence Adoption Leave by providing their Line Manager and the Headteacher with notification in writing at least 8 weeks prior to the new date.

4.4 Employees are required to notify the School in writing, at least 8 weeks in advance of the date on which they wish to commence Adoption Leave.

4.5 Adoption Support Leave (ASL)

4.5.1 Employees may request up to **five days paid** leave whilst they are proceeding through the adoption process. ASL is provided for such events as Home Visits, Home Study Assessments and Adoption Worker visits. Evidence of these appointments will be required. Members of staff are advised to provide as much notice as possible of their intention to request ASL to allow for appropriate cover to be organised.

4.6 Applications for ASL can be made on the Request for Adoption Leave application form.

5.0 Adoption Pay

- 5.1 **Statutory Adoption Pay (SAP)** SAP is paid for 39 weeks and consists of 6 weeks paid SAP at 90 % of average earnings and then at the flat rate SAP (or 90% of average earnings if that is lower) for the remaining 33 weeks. If an employee does not qualify for SAP, they may be able to seek financial support from their Local Authority.
- 5.2 **Additional Adoption Pay (AAP)** All employees who have completed not less than one year's continuous service at the week an approved match with child is made, and who confirm in writing that they intend to return to employment after their leave, are eligible for paid Adoption Leave.
- 5.3 Following receipt of a signed declaration that an employee intends to return to work, they will be entitled to the following Additional Adoption pay:-
- The first four weeks of Adoption Leave will be paid at full pay (SAP will be included in this payment).
 - The next two weeks (weeks 5 & 6) Adoption Leave will be paid at 90% average contractual weekly salary plus SAP (as long as this does not exceed full pay)
 - The following 12 weeks (weeks 7 to 18) of Adoption Leave will be paid at half average contractual weekly earnings plus SAP (as long as this does not exceed full pay).
 - For the final 21 weeks (weeks 19 to 39) pay will be at the lower rate SAP, currently or 90% of average weekly earnings if this is less.
- 5.4 **Repayment of Additional Adoption Pay** In the event that the employee does not return to work at the School for a period of at least 13 weeks, (or equivalent if they return part time) they will be required to refund the salary paid to them in excess of their statutory entitlement. They will not be required to repay the SAP element.
- 5.5 **Pension Scheme** If an employee is a member of the Teachers' Pension Scheme or the Local Government Pension Scheme, their pension contributions will continue to be taken based on the actual pay they receive. Unpaid leave does not count towards pensionable service. On their return to work they will however be given the option to pay contributions for the unpaid period, based on their pay immediately prior to the period of unpaid leave.

6.0 Annual Leave

- 6.1 Employees will continue to accrue contractual annual leave throughout their period of Ordinary and Additional Adoption Leave.
- 6.2 During any period of paid Adoption Leave (weeks 1-39), employees will accrue a bank holiday allowance in addition to their normal contractual annual leave entitlement. Following this period (weeks 40-52) bank holiday allowance is included within the statutory leave entitlement.
- 6.3 All leave should be used during the leave year in which the leave has been awarded, however a maximum of five days can be carried over into a new leave year (pro-rata for part-time staff) by agreement with the Line Manager.
- 6.4 Annual leave cannot be taken during Adoption Leave but can be taken either before Adoption Leave commences or once it has finished (subject to the agreement of the Line Manager).

7.0 Temporary Contracts

- 7.1 Adoption benefits are available to all employees including hourly paid sessional staff and workers on temporary contracts, irrespective of the length of contract, providing they meet the criteria.
- 7.2 If an employee on a Fixed Term Contract qualifies for SAP but their contract expires before they return to work, the School will continue to pay the full Adoption Leave entitlements to the end of the 39 week period.
- 7.3 Service with the School, and entitlements to accrue annual leave, will cease on the termination date of the contract.

8.0 Keeping in touch KIT days

- 8.1 An employee can work for up to a maximum of 10 days during their Adoption Leave without bringing the leave to an end. KIT days can be worked by mutual agreement between the employee and their Line Manager during either OAL or AAL. KIT days do not have to be taken consecutively but any amount of work done during the day will count towards one KIT day.
- 8.2 Managers may make reasonable contact with their employees regardless of whether KIT days are used.

9.0 Payment of KIT days

- 9.1 KIT days taking place during Ordinary Adoption Leave are paid at the current rate of adoption pay. Those KIT days taking place outside this period will be unpaid unless SAP is still being received.

10.0 Adoption Leave Procedure

- 10.1 Application for Adoption Leave
- 10.2 To apply for adoption leave, the employee must notify his/her Line Manager and the Headteacher in writing within 7 days of having notification from the Adoption Agency that they and/or their partner have been matched with a child for adoption. They may also be requested by their Line Manager to provide evidence in the form of a certificate provided by the Adoption Agency.
- 10.3 Employees who are adopting from overseas must inform the School of their intention to take adoption leave in writing within 28 days of receiving an official notification from the relevant Authority. They must also confirm the date on which the child is expected to enter the UK.
- 10.4 Employees will be asked to complete an Adoption Leave Request form (**see Appendix 3**) which confirms the date that they wish adoption leave to begin, the expected week of placement and the notice period if they wish to return to work earlier than the end of their adoption leave period. Confirmation from the relevant caseworker is required as soon as this is available, confirming the proposed placement date.
- 10.5 Employees will receive confirmation of their adoption leave and entitlements from the Headteacher within 28 days from the date of the application.

11.0 The Right to Return to Work

- 11.1 Employees have an automatic right to return to work at the end of the 52-week AAL period and there is no official requirement to give 'notice' that they will be returning. An employee will be expected to return to work on the next normal working day after the end of their adoption leave concludes. Should an employee wish to change the date of their return, they will be required to give 28 days' notice in writing to their Line Manager and to the Deputy Headteacher

PART D – SHARED PARENTAL LEAVE POLICY & PROCEDURE

SHARED PARENTAL LEAVE POLICY

1.0 Introduction

1.1 Shared Parental Leave (SPL) is a new legal entitlement for eligible parents of babies due, or children placed for adoption, on or after 5th April 2015. Shared Parental Leave enables eligible parents to choose how to share the care of their child during the first year of birth or adoption. Its purpose is to give parents more flexibility in considering how best to care for, and bond with, their child. All eligible employees have a statutory right to take Shared Parental Leave (SPL). There may also be an entitlement to some Shared Parental Pay (ShPP). This could mean that the mother or adopter shares some of the leave with their partner, perhaps returning to work for part of the time and then resuming leave at a later date.

2.0 Eligibility

2.1 Shared Parental Leave can only be used by two people:

2.2 The mother / adopter and one of the following:

- -the father of the child (in the case of birth) or
- -the spouse, civil partner or partner of the child's mother/adopter

2.2 Both parents must share the main responsibility for the care of the child at the time of birth/placement for adoption.

2.3 Additionally an employee seeking to take SPL must satisfy each of the following criteria:

- They or their partner must be eligible for maternity pay or leave, adoption pay or leave or Maternity Allowance
- They must still be working for the School whilst they take each period of SPL
- They must have a minimum of 26 weeks' service at the end of the 15th week before the Child's expected due date/matching date.
- Their partner must meet the 'Employment and Earnings test' requiring that, in the 66 weeks leading up to the child's expected due date/matching date, they have worked for at least 26 weeks and earned at least £390 in total in any 13 of those weeks.

2.4 Employees must correctly notify the School of their entitlement and provide evidence as required.

3.0 Entitlements

3.1 Eligible employees may be entitled to take up to 50 weeks SPL during the child's first year in their family. The number of weeks available is calculated using the mother's/ adopter's entitlement to maternity/adoption leave, which allows them to take up to 52 weeks' leave. If they reduce their maternity/adoption leave entitlement then they and/or their partner may opt- in to the SPL system and take any remaining weeks as SPL.

3.2 Shared Parental Leave can be taken as follows:

- The mother can take Shared Parental Leave after she has taken the legally required two weeks of maternity leave immediately following the birth of the child
- The adopter can take SPL after taking at least two weeks of adoption leave
- The father/partner/spouse can take SPL immediately following the birth/placement of the child, but may first choose to exhaust any paternity leave entitlements (as the father / partner cannot take paternity leave or pay once they have taken any shared parental leave and shared parental pay).

3.3 Where a mother/adopter gives notice to curtail their maternity/adoption entitlement then their partner can take leave while the mother/adopter is still using their maternity/adoption entitlements.

3.4 SPL must end no later than one year after the birth/placement of the child. Any SPL not taken by the first birthday or first anniversary of placement for adoption is lost.

4.0 Statutory Shared Parental Pay (ShPP)

4.1 Eligible employees may be entitled to take up to 37 weeks ShPP while taking Shared Parental Leave. The number of weeks available will depend on the amount which the mother/adopter reduces their maternity/adoption pay period or Maternity Allowance period.

4.2 ShPP may be payable during some or all of SPL, depending on the length and timing of the leave.

4.3 In addition to the eligibility requirements for SPL, an employee seeking to claim ShPP must further satisfy each of the following criteria:

- They must be/have been entitled to Statutory Maternity pay or Adoption pay
- They have had average weekly earnings above the Lower Earnings Limit (LEL) for the period of eight weeks leading up to and including the 15th week before the Child's due date/Matching date;

4.4 The notice to request payment of ShPP must include a signed declaration stating:

- The start and end dates of any maternity/adoption pay or maternity allowance;
- The total amount of ShPP available, the amount of ShPP the employee and their partner each intend to claim, and a non-binding indication of when the employee expects to claim ShPP;
- A declaration from the employee confirming that the information that they have given is correct, that they meet, or will meet, the criteria for ShPP and that they will immediately inform the School should they cease to be eligible.

4.5 The notice must also be accompanied by a signed declaration from the employee's partner confirming:

- Their agreement to the employee claiming ShPP and for the School to process any ShPP payments to them;
- (in the case where the partner is the mother/adopter) that they have reduced their maternity/adoption pay or maternity allowance;
- (in the case where the partner is the mother/adopter) that they will immediately inform their partner should they cease to satisfy the eligibility conditions.

5.0 Keeping in Touch (Split Days)

5.1 Before SPL begins, the School will discuss the arrangements for keeping in touch during their leave. The School reserves the right in any event to maintain reasonable contact with the employee from time to time during their SPL.

5.2 An employee can agree to work for the School(or attend training) for up to 20 days during their Shared Parental Leave without bringing their period of SPL to an end or impacting on their right to claim ShPP for that week. These are known as SPLIT days. Any work carried out on a day or part of a day shall constitute a day's work for these purposes. The School has no right to require the employee to carry out the work, and is under no obligation to offer the employee any work, during the employee's SPL. An employee taking a SPLIT day will receive full pay for any day worked. If a SPLIT day occurs during a week the employee is receiving ShPP, this will be 'topped up' to ensure the individual receives full pay for the day in question.

6.0 Terms and Conditions during Shared Parental Leave

6.1 During the period of SPL, the employee's contract of employment continues in force and they are entitled to receive all their contractual benefits, except for salary. Contractual annual leave entitlement will continue to accrue during SPL.

7.0 Fraudulent Claims

- 7.1 The School can, where there is a suspicion that fraudulent information may have been provided or where the School has been informed by HMRC that a fraudulent claim was made, investigate the matter further in accordance with the usual School investigation and disciplinary procedures, and also without acting in a discriminatory manner in relation to any of the protected characteristics defined in the Equality Act 2010.

SHARED PARENTAL LEAVE PROCEDURE

1.0 Discussions regarding SPL

- 1.1 An employee considering taking SPL is encouraged to speak with their Line Manager and contact their Headteacher to arrange an informal discussion as early as possible regarding their potential entitlement, to talk about their plans and to enable the School to support the individual.
- 1.2 Upon receiving an application to take SPL, the Line Manager may seek to arrange an informal discussion with the employee to talk about their intentions and how they currently expect to use their entitlement. The purpose of the meeting is to discuss the leave proposed and what will happen when the employee is away from work. Where it is a request for discontinuous leave the discussion may focus on how the leave proposal could be agreed, whether a modified arrangement would be agreeable to the employee and the School, and what the outcome may be if no agreement is reached.

2.0 Application for SPL

- 2.1 An employee who is entitled to and intending to take SPL must give the Finance Manager notification of their entitlement and intention to take Shared Parental Leave **at least** eight weeks before they can take any period of SPL (See Appendix D)
- 2.2 Part of the eligibility criteria requires the employee to provide the School with correct notification. Notification must be in writing and requires each of the following:
 - The name of the employee;
 - The name of the other parent;
 - The start and end dates of any Maternity/Adoption Leave or Pay, or Maternity Allowance, taken in respect of the child and the total amount of SPL available;
 - The date on which the child is expected to be born and the actual date of birth or, in the case of an adopted child, the date on which the employee was notified of having been matched with the child and the date of placement for adoption;
 - The amount of SPL the employee and their partner each intend to take;
 - A non-binding indication of when the employee expects to take the leave.
- 2.3 The member of staff must provide the School with a signed declaration stating:
 - That they meet, or will meet, the eligibility conditions and are entitled to take SPL;
 - That the information they have given is accurate;
 - If they are not the mother/adopter they must confirm that they are either the father of the child or the spouse, civil partner or partner of the mother/adopter;
 - That should they cease to be eligible they will immediately inform the School.
- 2.4 They must also provide the School with a signed declaration from their partner confirming:
 - Their name, address and national insurance number;
 - That they are the mother/adopter of the child **or** they are the father of the child or are the spouse, civil partner or partner of the mother / adopter;
 - That they satisfy the 'employment and earnings test' and had at the date of the child's birth or placement for adoption the main responsibility for the child, along with the employee;
 - That they consent to the amount of SPL that the employee intends to take;
 - That they consent to the School processing the information contained within the declaration; and
 - That they will immediately inform their partner should they cease to satisfy the eligibility conditions.
- 2.5 Completion of all relevant parts of the Application for Shared Parental Leave will ensure these criteria are met.

3.0 Further Evidence

3.1 The School may, within 14 days of the SPL entitlement notification being given, request:

- The name and business address of the partner's employer (where the employee's partner is no longer employed or is self-employed their contact details must be given instead)
- In the case of biological parents, a copy of the child's birth certificate
- In the case of an adopted child, documentary evidence of the name and address of the adoption agency, the date on which they were notified of having been matched with the child and the date on which the agency expects to place the child for adoption.

3.2 In order to be entitled to SPL, the employee must produce this information within 14 days of the request.

4.0 Leave Notifications

4.1 An eligible employee may book up to three separate blocks of SPL rather than taking it all in one go.

4.2 SPL can only be taken in complete weeks but may begin on any day of the week. For example, if SPL began on a Tuesday it would finish on a Monday. Where an employee returns to work between periods of SPL, the next period of SPL can start on any day of the week.

4.3 The employee must book SPL by giving the correct notification at least eight weeks before the date on which they wish to start their leave.

4.4 A notification can be for a period of **continuous leave**. An employee has the right to take a continuous block of leave notified in a single notification, so long as it does not exceed the total number of weeks of SPL available to them and the School has been given at least eight weeks' notice.

4.5 A notification may also contain a request for two or more periods of **discontinuous leave**, which means asking for a set number of weeks of leave over a period of time, with breaks between the leave where the employee returns to work (for example, an arrangement where an employee will take six weeks of SPL and work every other week for a period of three months).

4.6 Once the Finance Manager receives an SPL request, it will be dealt with as soon as possible, but a response will be provided no later than the 14th day after the leave request was made.

4.7 All notices for continuous leave will be confirmed in writing.

4.8 All requests for discontinuous leave will be carefully considered, weighing up the potential benefits to the employee and against any adverse impact to the School. Each request for discontinuous leave will be considered on a case-by-case basis. The employee will be informed in writing of the decision as soon as is reasonably practicable, but no later than 14 days after the leave notification was made. The request may be granted in full or in part, the School may propose a modified version of the request.

4.9 If a discontinuous leave pattern is refused then the employee may withdraw the request without detriment on or before the 15th day after the notification was given; or may take the total number of weeks in a single continuous block. If the employee chooses to take the leave in a single continuous block, the employee has until the 19th day from the date of the original notification to choose when they want the leave period to begin. The leave cannot start earlier than eight weeks from the date the original notification was submitted. If they employee does not choose a start date then the leave will begin on the first leave date requested on the original notification.

5.0 Variations to Arranged SPL

5.1 The employee is permitted to vary or cancel an agreed and booked period of SPL, provided that they advise the School in writing at least eight weeks before the date of any variation. Any new start date cannot be sooner than eight weeks from the date of the variation request.

6.0 The Right to Return to Work

- 6.1 Employees have the right to return to work in the same role on the same terms and conditions. They will also have the right to request flexible working. There is no automatic right to return to work on fewer hours. All requests for flexible of part time working will be fully considered on an individual basis. (See also the Flexible Working Policy and Procedure).

PART E – ADDITIONAL RELATED CIRCUMSTANCES

RELATED CIRCUMSTANCES – INCLUDING SPECIAL LEAVE

1.0 Introduction

- 1.1 The School wishes to be supportive of employees in circumstances related to family but which extend beyond those covered by the Family Friendly Policy. Full details can be found in the School's **Special Leave Guidance**.

2.0 Time off for IVF Treatment

- 2.1 In the case of an employee requiring time off to undertake IVF treatment (including tests), it should be noted that there is no statutory entitlement to time off for this. However, the School would wish to be as supportive as it can be in the circumstances and so Managers should agree to appropriate time off which can be taken as a mix of annual leave, time off in lieu (TOIL) and unpaid leave. Managers should seek advice from the Headteacher to ensure a consistent approach is adopted across the School. Each case will be dealt with on an individual and confidential basis.

3.0 Time off for Foster Carers

- 3.1 The School recognises the value to the community of foster care and the commitment of employees who undertake foster care and would wish to be as supportive as it can be in these circumstances. Managers may agree appropriate time off to attend training and meetings relevant to the role of foster carer. This time off can be taken as a mix of annual leave, TOIL and unpaid leave.
- 3.2 To support staff to plan to receive a foster child and to settle them into the family home a maximum of two days paid leave will be allowed following a formal fostering arrangement with the Local Authority or approved fostering agency. This will be subject to a maximum of four days paid leave per year. Should further leave be required this will be unpaid and subject to agreement by the Line Manager. Flexible working requests will also be considered.
- 3.3 Foster Carers will not be entitled to Parental Leave but, in instances where there is an emergency relating to the foster child, the employee will be entitled to make use of the School's 'Time off for Dependants'. This provides **one** day of **paid** leave to attend to the emergency and make ongoing arrangements where necessary.

4.0 Time off for Dependents - Please refer to Special Leave Guidance.

5.0 Parental Leave -Please refer to Special Leave Guidance.

APPENDIX 1

1.0 Application for Maternity Leave and Pay Maternity Leave

1.1 Eligible employees can take up to 52 weeks' maternity leave. The first 26 weeks is known as 'Ordinary Maternity Leave', the last 26 weeks as 'Additional Maternity Leave'. The earliest leave can be taken is 11 weeks before the expected week of childbirth.

2.0 Maternity Pay

2.1 To be eligible for Statutory Maternity Pay (SMP) and Occupational Maternity Pay (OMP) you must:

- have completed 26 weeks continuous service at the 15th week before the expected week of childbirth (EWC)
- be earning an amount equivalent to at least the lower earnings limit for NI contributions
- still be pregnant at the 11th week before the EWC and
- must have stopped work wholly or partly because of pregnancy or childbirth If eligible for SMP you will be entitled to the following: -

3.0 SMP

3.1 If eligible for SMP you will be entitled to the following:-

- 90% of your average weekly earnings (before tax) for the first 6 weeks
- the standard rate SMP amount or 90% of your average weekly earnings (whichever is lower) for the next 33 weeks

4.0 OMP

4.1 100% of pay with Statutory Maternity Pay offset for the first 4 weeks.

4.2 Half average weekly contractual earnings plus SMP (as long as this does not exceed 90% of pay) for weeks 7 – 18 inclusive.

Applicant Details

First Name(s):	
Surname:	
Job Title:	
Contract Expiry Date (where applicable):	
Department:	
Date baby due:	
Start Date of Maternity Leave:	
Please note that all new mothers MUST take a minimum of two weeks' compulsory Maternity Leave.	
Planned return to work date (leave blank if taking full 52 week maternity leave):	

If you decide to change your maternity leave start date please provide at least 28 days' notice.

You may have decided not to return to work following your maternity leave and would like to give formal notice.

Please tick the relevant statement that applies to you.

It is my intention to return to work following maternity leave **YES/NO**

I do not wish to return to work following maternity leave **YES/NO**

If you are eligible for OMP you have the option to receive payment during the maternity pay period or defer until your return to work and receive the entire payment in one lump sum.

N.B. if you do not return to work for more than 13 weeks following your maternity leave you will be required to repay all OMP paid to you.

Please tick the statement that applies to you – if you have decided not to return to work following maternity leave, please leave blank.

I wish to receive payment for Occupational Maternity Pay **YES/NO**

I wish to defer payment of Occupational Maternity Pay until I return to work **YES/NO**

Signed:

Date:

Please ensure that your Line Manager and the Finance Manager have a copy of this form no later than the 15th week before your baby is due.

APPENDIX 2

1.0 Application for Paternity Leave & Pay

- 1.1 Eligible employees have a statutory entitlement to up to two weeks as Ordinary Paternity Leave (OPL). You can take this leave as one or two whole weeks but not two separate weeks. Paternity Leave cannot start before the birth of the baby and must be taken within 56 days of the birth.
- 1.2 Eligible employees may also take an additional two days as Occupational Paternity Leave
- 1.3 A member of staff may also be eligible for Additional Paternity Leave (APL) of up to 26 weeks.

2.0 Paternity Pay

- 2.1 To be eligible for Statutory Paternity Pay (SPP) and Occupational Paternity Pay (OPP) you must:
 - have completed 26 weeks continuous service at the end of the 15th week before the expected week of childbirth (EWC)
 - be earning an amount equivalent to at least the lower earnings limit for NI contributions

3.0 SPP

- 3.1 If eligible for SPP you will be entitled to the following;
 - the standard rate SPP amount or 90% of your average weekly earnings (whichever is lower) for a maximum of two weeks

4.0 OPP

- 4.1 Your normal contracted rate of pay for a maximum of two days

Applicant Details

First Name(s):	
Surname:	
Job Title:	
Contract Expiry Date (where applicable):	
Department:	
Date baby due:	
Start Date of Paternity Leave:	
Duration of Paternity Leave (one or two consecutive weeks):	
Dates of Occupational Paternity Leave (if being taken):	

Signed:.....Date:.....

Please ensure that your Line Manager and the HR Department have a copy of this form no later than the 15th week before your baby is due.

APPENDIX 3

1.0 Application for Adoption Leave and Pay

- 1.1 Eligible employees can take up to 52 weeks' adoption leave. The first 26 weeks is known as 'Ordinary Adoption Leave', the last 26 weeks as 'Additional Adoption Leave'.
- 1.2 Adoption Leave can be taken by either parent but not by both. The earliest leave can be taken is 14 days before the expected date of placement.

2.0 Adoption Pay

- 2.1 To be eligible for Statutory Adoption Pay (SAP) and Occupational Adoption Pay (OAP) you must:

- be newly matched with a child for adoption by an approved Adoption Agency
- have completed 26 weeks continuous service prior to the week in which they are notified they are matched
- be earning an amount equivalent to at least the lower earnings limit for NI contributions

3.0 SMP

- 3.1 If eligible for SMP you will be entitled to the following;

- 90% of your average weekly earnings (before tax) for the first 6 weeks
- the standard rate SMP amount or 90% of your average weekly earnings (whichever is lower) for the next 33 weeks

4.0 OMP

- 4.1 100% of pay with Statutory Adoption Pay offset for the first 4 weeks.
- 4.2 Half average weekly contractual earnings plus SMP (as long as this does not exceed 90% of pay) for weeks 7 – 18 inclusive

Applicant Details

First Name(s):	
Surname:	
Job Title:	
Contract Expiry Date (where applicable):	
Department:	
Expected date of placement:	
Start Date of Adoption Leave:	
Planned return to work date (leave blank if taking full 52 week Adoption Leave)	

If you decide to change your adoption leave start date please provide at least 28 days' notice.

You may have decided not to return to work following your adoption leave and would like to give formal notice.

Please tick the relevant statement that applies to you.

It is my intention to return to work following adoption leave **YES/NO**

I do not wish to return to work following adoption leave **YES/NO**

If you are eligible for OAP you have the option to receive payment during the adoption pay period or defer until your return to work and receive the entire payment in one lump sum.

N.B. if you do not return to work for more than 13 weeks following your adoption leave you will be required to repay all OAP paid to you.

Please tick the statement that applies to you – if you have decided not to return to work following adoption leave, please leave blank.

I wish to receive payment for Occupational Adoption Pay **YES/NO**

I wish to defer payment of Occupational Adoption Pay until I return to work **YES/NO**

Signed:.....Date:.....

Please ensure that your Line Manager and Headteacher have a copy of this form no later than the 15th week before your placement week.

APPENDIX 4

1.0 Application for Shared Parental Leave

- 1.1 These are the forms needed by a mother and the person she will share Shared Parental Leave (SPL) with – known as the partner - to confirm eligibility and entitlement with their employers. The forms can also be used to confirm eligibility and entitlement to Shared Parental Pay (ShPP).
- 1.2 To learn more about SPL and ShPP go to www.acas.org.uk/spl
- 1.3 Parents should use the calculator at www.gov.uk/pay-leave-for-parents to find some of the information needed to complete these forms
- 1.4 Parents and employers should keep a copy of any completed forms
- 1.5 If the mother is in receipt of Maternity Allowance (MA), she will need to notify Jobcenter Plus to curtail this entitlement
- 1.6 The earnings requirements mentioned are correct as of March 2015

What forms need to be completed?			
	Both parents want to take SPL	Just the mother wants to take SPL	Just the partner wants to take SPL
Form 1	YES	YES	YES
Form 2	YES	YES	NO
Form 3	NO	NO	YES
Form 4	YES	NO	YES

Key abbreviations used in these forms:

SPL -Shared Parental Leave

ShPP -Statutory Shared Parental Pay

SMP -Statutory Maternity Pay

MA- Maternity Allowance

Form 1: Curtailment of Maternity Leave and Pay (for Mother's Employer)

SECTION A: General (must be completed)
Please accept this as my notice to curtail my maternity leave and/or SMP. This form is accompanied by notification that either I intend to take SPL and/or ShPP or that my partner intends to take SPL and/or ShPP. I understand that my maternity leave will end on the date given in Section B and that my SMP will end on the date given in Section C. I understand that I can only reinstate my maternity leave if I revoke this notice before the curtailment date given in Section B. I understand that if I am eligible for myself or my partner to opt into SPL and ShPP I can only reinstate my SMP if I revoke this notice before the end date given in Section C.
Mother's surname
Mother's first name(s)
Child's expected date of birth
Actual date of child's birth (if born)
SECTION B: Curtailing maternity leave (must be completed)
Date statutory maternity leave started/is intended to start
Date statutory maternity leave will come to an end
Total number of weeks of statutory maternity leave that will have been taken at the date that statutory maternity leave ends
SECTION C: Curtailing maternity pay (only complete if claiming ShPP)
Date SMP started/is intended to start
Date SMP will come to an end
Total number of weeks of SMP that will have been paid at the date that SMP ends
SECTION D: Signature (must be completed)
Signature of mother
Date signed

Form 2: Notification that Mother is intending to take SPL (for Mother's Employer)

SECTION A: General (must be completed)	
Please accept this as notification that I (the mother) am entitled to and intend to take SPL (and ShPP if section C is completed).	
Mother's Surname	
Mother's First name(s)	
Partner's surname	
Partner's first name(s)	
Partner's Address	
Partner's National Insurance number (State 'none' if no number is held)	
Child's expected date of birth	
Actual date of child's birth (if child not yet born I will provide this information as soon as reasonably practicable following birth and before I take any SPL)	
SECTION B: Maternity entitlement details (all answers that apply must be completed)	
Date mother started (or intends to start) statutory maternity leave	
Date mother's statutory maternity leave ended (or will end)	
Total number of weeks of statutory maternity leave that will have been taken at the date that statutory maternity leave ends	
Date mother started (or intends to start) SMP or MA	
Date mother's SMP or MA ended (or will end)	
Total number of weeks SMP or MA has been paid or will have been paid at date of curtailment	
Total number of weeks by which SMP or MA will be reduced (i.e. 39 weeks minus total number of weeks SMP or MA has been paid or will have been paid at date of curtailment)	
SECTION C: Amount of SPL available (must be completed)	
Total number of weeks of SPL created (52 weeks less total number of maternity weeks taken and any SPL from a previous notice and revocation)	
Total number of weeks of SPL I (the mother) intend to take	
Total number of weeks of SPL my partner intends to take	
SECTION D: Indication of Mother's leave intentions (must be completed but is not binding)	
I (the mother) currently expect to take SPL as follows:	
Note: It will usually be helpful to answer this in a "From... To..." format	
SECTION E: Amount of ShPP available (only complete if claiming ShPP)	
Total number of weeks of ShPP created (39 weeks less total number of SMP taken and any ShPP paid from a previous notice and revocation)	
Total number of weeks of ShPP I (the mother) intend to take:	
Total number of weeks of ShPP my partner intends to take:	
I (the mother) currently expect to take ShPP as follows:	
Note: It will usually be helpful to answer this in a "From... To..." format	

SECTION F: Mother's declaration (must be completed)
--

The following points apply in all circumstances where a mother is entitled to maternity leave:

- I am giving notice that I am entitled to and intend to take SPL
- I have, or will have, been continuously employed for 26 weeks at the end of the 15th week before the week in which the child is due
- I will remain employed with this employer until any period of SPL that I intend to take
- I had (or will have) the main responsibility for the care of the child at the time of the child's birth (along with my partner who has made the declaration below)
- I am entitled to maternity leave; my maternity leave period is reduced and the remaining weeks are now available as SPL
- I will inform my employer immediately if I am no longer caring for my child
- I will give my employer a copy of my child's birth certificate or a declaration of the date and place of the birth where no certificate is available if my employer asks for this within 14 days of the date of this notice
- I will give my employer the name and address of my partner's employer or a declaration that they do not have an employer if my employer asks for this within 14 days of the date of this notice
- I (or my partner) have given a period of SPL notice
- The information provided in this declaration is accurate and meets the notification requirements for SPL

The following points only apply if Section E has been completed:

- I am giving notice that I am entitled to and intend to take ShPP
- I have been (or will be) paid at least the Lower Earnings Limit in the 8 weeks leading up to the end of the 15th week before the expected week of childbirth
- I am entitled to SMP in respect of the birth of our child, my maternity pay period is reduced and the period that remains is available as ShPP
- I will be absent from work in each week in which I will be paid ShPP and I will be on SPL in those weeks (if entitled to SPL)
- I intend to care for my child in the weeks I receive ShPP
- I will remain employed with this employer until before the date of my first period of ShPP
- I will immediately inform the person who will be paying ShPP if I revoke the curtailment of my SMP or MA
- The information provided in this declaration is accurate

Signature of mother	
Date mother signed	

SECTION G: Partner's declaration (must be completed)

- I am the father of the child, or at the date of the birth I was/will be the mother's spouse, the mother's civil partner and/or the mother's partner living with her and the child in an enduring relationship
- I had (or will have) the main responsibility for the care of our child at the time of the birth (along with the child's mother)
- I have been (or will have been) employed or self-employed in England, Scotland or Wales in 26 weeks of the 66 weeks before the expected week of birth
- I have (or will have) earned in total at least £390 in 13 weeks of the 66 weeks before the expected week of childbirth
- I consent to the amount of SPL which the mother intends to take, as set out in Section D above.
- I consent to the mother's employer processing the information I have provided
- I consent to the amount of ShPP which the mother intends to take, as set out in Section E above.
- The information provided in this declaration is accurate

Signature of partner	
Date partner signed	

Form 3: Notice confirming that Partner is taking SPL but mother is not (for Mother's Employer)

SECTION A: General (must be completed)	
Please accept this as notification that I (the mother) do not intend to take SPL (or ShPP where relevant) but that my partner will be.	
Mother's surname	
Mother's first name(s)	
SECTION B: Confirmation	
<ul style="list-style-type: none">• I am either not entitled to SPL (or ShPP where relevant), or I do not intend to take SPL (or claim ShPP where relevant)• I declare that my partner has given a notice to their employer to take SPL and/or ShPP .• I consent to my partner's intended claim for SPL and/or ShPP.	
SECTION C: Signature (must be completed)	
Signature of mother	
Date signed	

Form 4: Notification that Partner is intending to take SPL (for Partner's Employer)

SECTION A: General (must be completed)	
Please accept this as notification that I (the mother's partner) am entitled to and intend to take SPL (and ShPP if section C is completed)	
Partner's surname	
Partner's first name(s)	
Mother's surname	
Mother's first name(s)	
Mother's Address	
Mother's National Insurance number (State 'none' if no number is held) Child's expected date of birth Actual date of child's birth (if child not yet born I will provide this information as soon as reasonably practicable following birth and before I take any SPL)	
SECTION B: Maternity entitlement details (all answers that apply must be completed)	
Date mother started (or intends to start) maternity leave (if applicable)	
Date mother's maternity leave ended (or will end) (if applicable)	
Total number of weeks of maternity leave taken (or that will be taken) when maternity leave ends	
Date mother started (or intends to start) SMP or MA (if applicable) Mother's first name(s)	
Date mother's SMP or MA ended (or will end) (if applicable)	
Total number of weeks SMP or MA has been paid or will have been paid at date of curtailment	
Total number of weeks by which SMP or MA will be reduced (i.e. 39 weeks minus total number of weeks SMP or MA has been paid or will have been paid at date of curtailment)	
SECTION C: Amount of SPL available (must be completed)	
The total number of weeks of SPL created depends on the mothers leave and pay entitlements: <ul style="list-style-type: none"> • If the mother was/is entitled to maternity leave and SMP/MA, the total created will be 52 weeks less any week's maternity leave taken • If the mother was/is entitled to maternity leave but not to SMP or MA, the total created will be 52 weeks less any week's maternity leave taken • If the mother was/is not entitled to maternity leave but was entitled to SMP/MA, the total created will be 52 weeks less any weeks of SMP/MA that was paid • If the mother previously revoked her curtailment notice any SPL that was taken by the partner must be deducted 	
Total number of weeks of SPL created (50 max)	
Total number of weeks of SPL I (the partner) intend to take	
Total number of weeks of SPL the mother intends to take (if applicable)	

SECTION D: Indication of Partner’s leave intentions (must be completed but is not binding)

I (the partner currently expect to take SPL as follows:

Note: It will usually be helpful to answer this in a “From... To...” format

SECTION E: Amount of ShPP available (only complete if claiming ShPP)

Total number of weeks of ShPP created (39 weeks less total number of SMP/MA taken and any ShPP paid from a previous notice and revocation)

Total number of weeks of ShPP I (the partner) intend to take:

Total number of weeks of ShPP mother intends to take:

I (the partner) currently expect to take ShPP as follows:

Note: It will usually be helpful to answer this in a “From... To...” format

SECTION F: Partner’s declaration (must be completed)

The following points apply in all circumstances:

- I am giving notice that I am entitled to and intend to take SPL
- I am the father of the child, or at the time of the birth I was/will be the mother’s spouse, the mother’s civil partner and/or the mother’s partner living with her and the child in an enduring relationship
- I have been (or will be) continuously employed for 26 weeks at the end of the 15th week before the week in which the child is due
- I will remain employed with this employer until any period of SPL that I intend to take
- I had (or will have) the main responsibility for the care of our child at the time of the child’s birth (along with the child’s mother who has made the declaration below)
- I will give my employer a copy of my child’s birth certificate or a declaration of the date and place of the birth where no certificate is available if my employer asks for this within 14 days of the date of this notice
- I will give my employer the name and address of the mother’s employer or a declaration that she does not have an employer if my employer asks for this within 14 days of the date of this notice
- I will inform my employer immediately if I am no longer caring for our child or if my partner revokes her notice to curtail her maternity leave or SMP/maternity allowance period
- I (or my partner) have given a period of SPL notice
- The information provided in this declaration is accurate and meets the notification requirements for SPL the following points only apply if Section E has been completed:
- I am giving notice that I am entitled to and intend to take ShPP
- I have been (or will be) paid at least the Lower Earnings Limit in the 8 weeks leading up to the end of the 15th week before the expected week of childbirth
- I intend to care for my child in the weeks I receive ShPP
- I will be absent from work in each week in which I will be paid ShPP and I will be on SPL in those weeks (if entitled to SPL)
- I will remain employed with this employer until before the date of my first period of ShPP • The information provided in this declaration is correct

Signature of partner

Date partner signed

SECTION G: Mother's declaration (must be completed)

The following points apply in all circumstances:

- I had (or will have) the main responsibility for the care of the child at the time of the birth (along with my partner who has made the declaration above)
 - I am entitled to maternity leave and/or SMP or MA in respect of the child and I have curtailed (or will curtail) my entitlement to maternity leave (or I have returned to work) and/or my entitlement to SMP or MA.
 - I have, or will have, been employed or self-employed in England, Scotland or Wales in 26 weeks of the 66 weeks before the expected week of childbirth
 - I have (or will have) earned in total at least £390 in 13 weeks of the 66 weeks before the expected week of birth
 - I will immediately inform my partner if I revoke my notice to curtail my maternity leave or, if I am not entitled to maternity leave, my SMP or MA entitlement
 - I consent to my partner's intended SPL as set out in Section D above
 - I consent to my partner's employer processing the information I have provided
 - The information provided in this declaration is accurate and meets the notification requirements for SPL
- The following points only apply if Section E has been completed:
- I am entitled to SMP or MA, and I have reduced (or will reduce) the SMP or MA period and the remainder will be available as ShPP
 - I consent to my partner's intended ShPP as set out in Section E above
 - I will immediately inform my partner if I revoke the reduction of my SMP or MA
 - I consent to the person who will pay ShPP to my partner or the child's father processing the information I have provided
 - The information provided in this declaration is correct

Signature of mother	
Date mother signed	

FLEXIBLE WORKING POLICY

1.0 Introduction

- 1.1 The Trust has a legal duty to consider applications from employees for flexible working where employees have 26 weeks continuous service with the same employer, and are parents, adopters, guardians, foster parents or have a residence order (or are married to, partners of or civil partners of the aforementioned and living with the child) of children under 17 (or disabled child under 18) and have responsibility for those children. The right to request flexible working also extends to employees with caring responsibilities for an adult over 18 who is their spouse, partner or civil partner, relative or someone living at the same address.

2.0 Eligibility

- 2.1 Flexible working is subject to the following eligibility conditions:

- The employee has been continuously employed for at least 26 weeks at the time the application is made.
- He/she must apply for flexible working before the child's 17th birthday (or child's 18th birthday, if disabled) where the application relates to a child.
- He/she has or expects to have responsibility for child's upbringing where the application relates to a child.
- The employee must not have made another application to the School to work flexibly in the last twelve months.
- A 'carer' is an employee who is, or expects to be, caring for their husband, wife, civil partner or partner, or adult relative, or for an adult who lives at the same address.

3.0 Type of Request

- 3.1 A qualifying employee will be able to ask the School for a change in terms and conditions relating to his or her:

- hours of work
- times of work
- location of work

4.0 Making an Application - Process

- 4.1 To be valid, an application must be in writing, signed and dated (clearly if hand-written). Applications from staff should be addressed to the Headteacher in the case of a school and CEO for central services and must:

- state that it is an application for 'Flexible Working' requesting a change in the employee's terms and conditions of employment
- state whether they have made a previous flexible working request and when that was made
- specify the change applied for and the date on which it is proposed the change should become effective
- explain what effect (if any) the employee thinks making the change applied for would have on the School and how, in the employee's opinion, any such effect might be dealt with
- explain his or her relationship to the child in question (or person being cared for as applicable)

- 4.2 An applicant, before applying, should not only consider the financial implications (e.g. drop in pay) but also bear in mind that once the application is accepted, the variation in his or her terms and conditions of employment will be permanent and there will be no right to revert to the Employee's previous terms and conditions unless the School agrees to a temporary change.

5.0 Response from the School

- 5.1 The School will consider a number of criteria when making any decision following a flexible working request. Grounds which the trust/school can refuse a request are: -

- the burden of additional costs
- an inability to reorganise work amongst existing staff

- an inability to recruit additional staff
- a detrimental impact on quality
- a detrimental impact on performance
- a detrimental effect on ability to meet customer demand
- insufficient work for the periods the employee proposes to work
- a planned structural change to your business

5.2 There is no absolute right to work flexibility.

5.3 The trust/school may respond in one of the following ways:

- If the trust/school accepts the request as it stands the employee will receive written notification within 28 days. This notification will specify the agreed variation(s) in the contract and the effective date.
- If the trust/school declines the application the employee will be notified in writing within 28 days of receipt of the application stating why the application has been rejected with reference to 5.1.
- Appeals will be heard in accordance with Stage 3 of the Grievance Policy albeit, it should be considered by an independent person.

5.4 An application is treated as withdrawn if the employee:

- indicates in writing that he or she is withdrawing the application
- indicates orally that the application is being withdrawn
- fails, without reasonable cause, to attend a meeting more than once
- unreasonably refuses to provide relevant information (e.g. concerning a Health and Safety assessment of the working environment where an employee seeks to work from home).

5.5 The trust/school will confirm in writing the withdrawal of the application unless the employee has provided written notice of the withdrawal.

5.6 Please note employees will only be entitled to make one application for flexible working each calendar year.

GIFTS AND HOSPITALITY POLICY

1.0 Purpose

- 1.1 This policy outlines the Trust's policy with regard to the giving and the receipt of gifts and hospitality by its staff from any third parties arising from duties undertaken on behalf of the Trust
- 1.2 The Trust is committed to ensuring that the governance of its Academies is conducted in accordance with the highest standards of integrity, probity and openness.

2.0 General Rules

- 2.1 The giving of gifts precludes alcohol as alcohol cannot be purchased with school funds. Gifts given by the school as gratuity should be of a modest nature and not exceed a cost of £25 per gift.
- 2.2 Academy staff must not receive gifts, hospitality or benefits of any kind from a third party which might be seen to compromise their personal judgement or integrity.
- 2.3 Governors and staff may accept the following gifts/hospitality without the need to seek the approval of the Academy or formally register receipt:
 - Courtesy hospitality at business lunches/dinners or attendance in an official capacity at a public function.
 - Incidental promotional gifts such as calendars, diaries or pens.
 - Receipt of small items from suppliers or contractors as expressions of gratitude such as boxes of chocolate or individual bottles of drink (at a value of less than £25).
 - Care must always be taken to ensure that whenever such gifts/hospitality are accepted no obligation to the person or organisation in question is accepted.
- 2.4 The following examples of gifts/hospitality require approval and to be formally recorded:
 - Attendance as a non-paying guest of a commercial organisation or individual at a non-work related cultural or sporting event (at a value of more than £25).
 - Promotional gifts worth in excess of £25.
 - Other offers of gifts/hospitality not falling into any of the above categories.

3.0 Unacceptable Gifts/Hospitality

- 3.1 The following are examples of offers of gifts/hospitality which should be refused by staff:
 - Gifts of money (not including donations to the Academy).
 - Free membership or subscriptions (e.g. sports clubs).
 - Foreign travel unless as a specific element of a business, academic or research activity approved by the Academy.
 - Free goods, services or equipment which are normally provided by a supplier to the Academy at a charge.

GRIEVANCE PROCEDURE FOR EMPLOYEES

1.0 Introduction

- 1.1 This procedure shall apply to all members of staff. The procedure aims to help to resolve individual grievances in a manner which is as fair and expeditious as possible. It is the Trust's policy is to find a solution to individual grievances as early in the procedure as possible.
- 1.2 Employees who have a grievance or those against whom a grievance is raised have the right to be accompanied and represented by a trade union representative or work place colleague of their choice. Every effort will be made to resolve the grievance at the informal stage.
- 1.3 If the grievance is against the immediate line manager, then the person to whom the grievance should be sent should be senior to the line manager. If the grievance is against the Headteacher it should be sent to the Chair of Governors.
- 1.4 It must be emphasised that the majority of grievances can be resolved through informal discussion and every effort should be made to resolve grievances in this way before resorting to the formal stages of the procedure.
- 1.5 In the event that a grievance cannot be resolved through the informal or formal stages of the procedure, it may be appropriate to consider whether external, professional mediation should be used. Mediation can only proceed if both parties agree to this course of action. Any mediation should be through a professional mediator e.g. ACAS. Any costs for this service will be met equally by both parties to a limit of £1000.
- 1.6 It is in everyone's best interest that the employee and their representative or work colleague make every effort to attend any meetings arranged to resolve the grievance. In the event of the aggrieved employee or their representative not being available for a meeting arranged by the school for a legitimate reason the meeting may be deferred once for up to ten working days.
- 1.7 The employee will be given the opportunity to explain their case and to outline the outcome he/she is seeking.

2.0 Stage 1 - Informal Procedure

- 2.1 If an employee has a grievance relating to their employment, the matter should be raised initially with the employee's Line Manager or Head of Department. The grievance should be raised orally in the first instance. In the event that the grievance relates to the employee's Line Manager or Head of Department who would normally deal with a grievance at this stage, the grievance should be referred to the Deputy Headteacher.
- 2.2 The Line Manager or Head of Department will take appropriate steps to resolve the grievance as quickly as possible on an informal basis. A meeting will be set up with the employee to ascertain the reason for the grievance and will discuss it fully with the employee and what the possible outcomes could be. A written record of the discussion and if possible, the outcome will be provided within five working days after the grievance has been received or as soon as practicable, depending on the circumstances of the case. Most grievances will be resolved at this stage.
- 2.3 If the matter is very serious, there needs to be further investigation or in other circumstances where the employee does not wish to raise the matter informally, the employee may proceed straight to the formal stage of the procedure.

3.0 Stage 2 – Formal Procedure

- 3.1 If the employee feels that the matter has not been resolved through informal discussion, or in the event that paragraph 2.3 applies, the grievance should be put in writing.
- 3.2 The grievance should provide full details of the issue(s) of concern and should be addressed to the employee's Line Manager or Head of Department.
- 3.3 The Deputy Headteacher will, as soon as possible, arrange a Grievance Hearing, normally within 10 working days of receipt of the written grievance. In some cases, however, it may be necessary to carry out an investigation prior to the Grievance Hearing, to establish the facts, especially if other 'witnesses' are involved or other staff can provide

relevant information that will assist the Hearing decision. In this event, the employee raising the grievance and any other named employees involved, will be informed that an investigation will be taking place to establish facts and that as a consequence, there will be a subsequent delay in the Grievance Hearing being held.

3.4 At the meeting the employee or his/her representative will be given the opportunity to explain the nature of the grievance, submit verbal/written evidence and call appropriate witnesses if appropriate. The Deputy Headteacher hearing the grievance will ask questions to ascertain facts and to clarify the information given.

3.5 The Deputy Headteacher hearing the grievance will consider all of the matters raised at the meeting and inform the employee of his/her decision or what further investigations are needed in order to resolve the grievance. If a decision is possible, the Deputy Headteacher will communicate their decision in writing to the employee within ten working days of the hearing or as soon as practicable, depending on the circumstances of the case and the investigations needed. If it is not possible for a decision to be reached within this period, the Deputy Headteacher will write to the employee with an explanation for the delay and when the written decision can be expected. Any other parties involved in the grievance will also be appropriately informed of the outcome. Once further necessary investigations have been completed, the Deputy Headteacher will hold a further meeting with the employee and their representative to inform them of the decision which will then be communicated to the employee in writing, including the right of appeal.

4.0 Stage 3 - Appeal

4.1 If the grievance is not resolved to the satisfaction of the employee at Stage 2, he or she may appeal. Any such appeal must be submitted to the Headteacher in writing, setting out the full grounds for the appeal, within ten working days of receipt of the decision reached at Stage 2.

4.2 The Headteacher will, as soon as possible and in any event, within ten working days of receipt of the written appeal, arrange an appeal hearing, which will be chaired by the Headteacher. The employee will be entitled to be accompanied at the appeal hearing by a trade union representative or work colleague.

4.3 The Headteacher will consider the appeal and may be supplied with all of the documentation submitted in relation to the earlier stages of the procedure. If the grievance involves another member of staff, the Headteacher may require the attendance of such member of staff at the appeal hearing, or any other members of staff who may be able to provide relevant information.

4.4 The Headteacher's decision will be provided in writing within ten working days of the appeal hearing. Any other parties involved in the grievance will also be appropriately informed of the appeal decision. The Headteacher's decision will be final.

HEALTH & WELLBEING POLICY

1.0 Introduction

- 1.1 The school is committed to promoting a healthy working environment and a supportive culture where employees can access the appropriate support when experiencing the effects of physical or mental health conditions. The school is also committed to encouraging all employees to achieve a healthy work life balance.

2.0 Definition of Health and Wellbeing

- 2.1 Health and wellbeing is defined as a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity. Overall health is achieved through a combination of physical, mental, emotional, and social well-being.

3.0 Legal Obligations

- 3.1 The school has a general duty under the Health and Safety at Work Act 1974 to ensure so far as is reasonably practical the health, safety and welfare of its employees and those who may be affected by School operations. This extends to taking **reasonable care to ensure that health is not put at risk through excessive and sustained levels of stress arising from work** activities i.e. to treat stress like any other health hazard.

4.0 Commitment Statement

- 4.1 The school will provide:

- A safe and healthy working environment.
- Access to Occupational Health advice and medical referrals where required.
- Access to a confidential counselling service for staff for either work or personal issues.
- Health promotion information resources and activities.
- Health and wellbeing information to employees and specific training for all managers on preventing, recognising and managing cases of stress.
- Information and training to enable staff to develop their skills and experience and maximise their contribution to the school.

5.0 Responsibilities

- 5.1 **Managers** (the term managers apply to any member of staff with responsibility for managing other staff).

- 5.2 All managers have a critical role in the implementation of this Policy and Procedure, particularly in minimising and managing stress risks and their responsibilities are as follows:

- Conduct and implement recommendations of risks assessments within their jurisdiction.
- Ensure good communication between Management and staff particularly where there are organisational and procedural changes.
- Ensure staff are fully trained to discharge their duties.
- Ensure staff are provided with meaningful developmental opportunities through the Performance Management/Appraisal process.
- Monitor workloads to ensure that staff are not overloaded.
- Monitor working hours and overtime to ensure that staff are not overworking.
- Monitor holidays to ensure that staff are taking their full annual leave entitlement.
- Attend development courses in management practice, health and safety (including risk assessment) as appropriate.
- Ensure that bullying and harassment is dealt with as defined under the Bullying & Harassment Policy & Procedure.
- Be vigilant and offer additional support to a member of staff who is experiencing stress outside work e.g. bereavement or separation and seek advice/further guidance from the HR Adviser where appropriate.
- Ensure that any stress related absence is dealt with under the Managing Sickness Absence Policy and Procedure.

6.0 Employees

6.1 All employees have a duty to themselves and each other to minimise excessive pressures and demands by behaving responsibly, acting reasonably and reporting any concerns regarding stress to their line manager. They are also responsible for:

- Raising issues of concern with their Manager and a Health & Safety Officer.
- To identify and attend development opportunities relevant to their role.
- To ensure that working hours are not being exceeded and that annual leave is taken.
- Consider use of the confidential counselling service.
- Implement the findings of any risk assessment undertaken in conjunction with their Manager.

7.0 Health and Safety Officer

7.1 The Health and Safety Officer should be consulted on any changes to work practices or work design that could precipitate stress. They should be involved in the risk assessment process and be allowed access to anonymous data collated by the school. Their responsibilities, in consultation with the Headteacher and Governors are as follows:

- To consult with staff on the issue of stress including conducting any workplace surveys.
- Undertake development relating to workplace stress with paid time away from normal duties to attend.
- Conduct joint inspections of the workplace to ensure that environmental stressors are properly controlled.

8.0 Occupational Health

8.1 The role of Occupational Health is to provide specialist advice to the school in relation to individual medical issues, particularly where they may impact upon the work of the individual.

9.0 The Headteacher and the school's HR Adviser

9.1 The role of the HR Adviser is primarily to give guidance and advice to the Headteacher on the Health and Wellbeing Policy and Procedure.

9.2 The Headteacher in conjunction with the Health & Safety representative, will monitor the effectiveness of the Health & Wellbeing Policy and Procedure by collating sickness absence statistics.

9.3 The Headteacher will also ensure that where appropriate, employees are referred to occupational health.

9.4 The Headteacher will seek advice from the HR Adviser regarding the support for individuals who have been off sick with stress and the management of their return to work and whether this should be on a phased basis or with workplace adaptations if appropriate.

9.5 The Headteacher will inform the SLT of any changes and developments in Health and Wellbeing and provide results of any staff surveys undertaken.

9.6 The Headteacher will provide learning and development opportunities and events for staff and managers as necessary.

10.0 Evaluation and Review

10.1 This policy will be reviewed regularly to reflect any changes necessary as a result of staff surveys or changes to Health and Safety legislation.

11.0 Procedure

11.1 Occupational Health

11.2 Access to the schools' Occupational Health provision, which includes advice and medical health referrals, should be made through the Headteacher in conjunction with advice from the HR Adviser. Medical health referrals are usually recommended where a member of staff may have:

- taken prolonged absence from work
- has a number of shorter term absences reach one of the trigger points in the Managing Sickness Absence Policy and Procedure
- suffered an incident or accident
- declared a temporary or permanent health condition or disability

11.3 The general purpose of the Medical Health referral is to;

- Assess the impact of any medical/health conditions
- Consider whether the individual is fit for work / able to return to work
- Give a prognosis of medical/health condition and its potential impact on the member of staff at work.
- To advise on any restrictions on the type of activities/work to be undertaken
- The support and work adjustments required to enable a successful return to work

11.4 Medical Health referral appointments are arranged via the Headteacher. Any written reports from the Occupational Health Practitioner will be treated confidentially and any recommendations will be communicated to the individual and their Manager as appropriate.

11.5 A Health Check Questionnaire will be completed prior to any new staffing appointment and are monitored along with job descriptions for any foreseeable health / work impact issues. A referral will be made to the Occupational Health Practitioner to assess the candidate's suitability to work if necessary.

12.0 Health Surveillance

12.1 Under the Control of Substances Hazardous to Health 2002, the school may provide a range of health surveillance tests for those staff who regularly work with hazardous substances or in a hazardous area. Health surveillance may take place every 1-2 years and will be arranged via the Health and Safety Advisor. In between this time staff who experience health symptoms which may arise from work with hazardous substances should discuss with their Manager as soon as possible.

12.2 Health surveillance will include;

- Lung function tests
- Skin checks
- Audiometric testing

12.3 Managers, in consultation with the Health and Safety Officer will identify those staff relevant for health surveillance testing and tests will be offered accordingly. Results from the health surveillance checks will be forwarded to the individual staff member, Manager and a copy of the results will be retained on the individual's personal file

13.0 Health Promotion

13.1 The school will arrange a programme of events throughout the year which will promote healthy lifestyle choices.

13.2 The Headteacher and the Health and Safety Officer will arrange such events and provide access to health promotion and literature. A range of resources will also be stored and shared electronically in due course.

14.0 Overseas Travel

14.1 If staff are travelling overseas and the NHS Fit for Travel website says that there are vaccinations that are 'usually advised' or 'sometimes advised' for the intended destination, staff should make an appointment to see their GP or practice nurse.

- 14.2 If possible, staff should see their GP at least eight weeks before they are due to travel as some vaccinations need to be given well in advance.
- 14.3 The NHS offer some vaccinations free of charge, however, the school will reimburse the cost of vaccinations required by the NHS Fit for Travel website and/or GP where the overseas travel is required as part of school business. A staff expenses form should be completed, along with the necessary receipt of payment and forwarded to the Finance Office Department.

15.0 Stress - Recognising the symptoms and the effects

- 15.1 Stress can be experienced when individuals feel unable to cope with the pressures and demands placed upon them. We recognise that certain events will cause stress for many people. Some of these events are linked to daily lives in or out of work, some to the workplace and some to the actual job role.
- 15.2 Stress can come from any direction, and sometimes from several sources at once. It is important to recognise that it is the individual's reaction that causes stress, as well as the actual event itself. These reactions can be quite different between people experiencing the same event.
- 15.3 The following list of typical stress symptoms is not exhaustive, but does cover many of the common symptoms we can see in staff as reactions to stress. Those experiencing work related stress may experience or exhibit a combination of:

16.0 Physical

- Cardiovascular problems (heart, blood pressure, shortness of breath, etc.)
- Headaches and migraine attacks
- Digestive problems (indigestion, ulcers, diarrhea, constipation)
- Dizzy spells
- Muscle tension, leading to conditions such as back pain
- Nervous tension – including sweating, dilated pupils, high adrenalin levels, hot and cold spells, ‘lump in the throat’, ‘butterflies’, panic attacks
- Interrupted sleep patterns
- Skin problems

17.0 Behaviour

- Mood swings
- Uncharacteristic behaviour (e.g. someone who is normally cheerful and loud is quiet and withdrawn)
- Edginess/short temper/hypersensitive
- Nervous laughter/faster speech/fidgeting
- Lack of eye contact
- Restlessness/trembling
- More prone to accidents
- Changes in eating habits (over or under-eating leading in extreme cases to eating disorders such as anorexia) • Absenteeism
- Low morale – less commitment to the job/less job satisfaction/less concerned
- Difficulty in decision making
- Confusion
- Unreasonable behaviour
- Escapism – alcohol and drug abuse, excessive smoking

18.0 Emotional

- Depression or boredom
- Anxiety

- Aggression
- Frustration
- Guilt
- Lack of confidence in self and maybe others
- Lack of self-esteem, even a loss of interest in outward appearance or personal hygiene
- Loneliness
- Tiredness (body and mind)
- Overwhelmed/unable to cope and eventually ‘burn-out’

19.0 Risk Assessment & Action Plan

19.1 Refer to the school’s Health and Safety Policy ARN/0003, which contains details on risk assessment.

20.0 Managing Change

20.1 It is important that during times of change, members of staff are kept up to date with information. Staff should feel able to approach managers with questions relating to change. Regular and relevant communications from those managing and overseeing the period of change are critical.

21.0 Managing & Minimising Cases of Stress

21.1 The school Stress Risk Assessment can be used to identify a number of potential factors that may trigger stress. It is important for managers to understand how these factors impact the working environment, school culture and staff wellbeing.

21.2 Managers should be aware of any changes which may be introduced into the team which may affect staff. This could be the introduction of new processes or tasks, a reduction in staff hours which in turn have implications for remaining staff and increased workload. Other triggers may include changes to existing staff responsibilities or interpersonal relationships within teams, between departments or across schools.

21.3 Where symptoms of stress are identified either by the Manager, other team members or raised by the individual concerned, the Manager should meet with the individual to discuss the potential triggers and what can be reasonably implemented to try and reduce any work related stressors and or cope with the effects of personal/home life related issues.

21.4 Where staff have been absent from work owing to a stress related illness, a return to work plan should be agreed between the individual concerned, the Manager and the HR Adviser, in addition to the completion of the Stress Risk Assessment. The return to work may be phased and increased over a period of time and may be with additional measures in place as identified via the individual’s Stress Risk Assessment.

3.0 Stress Solutions

3.1 Communication is essential in resolving stress whether it is work related or not. Managers are encouraged to discuss their concerns with staff directly in a safe environment and in a sensitive manner. In trying to alleviate stress managers should consider the following options:

- Flexible Working – temporary changes to working hours. Advice should be sought from the HR Adviser before any changes are agreed. Permanent changes must be made through the Deputy Headteacher.
- Counselling Service – Details of the confidential counselling service should be made available.
- Temporary redistribution of work (where there is capacity).
- Referral to Occupational Health.
- Identify development needs and ensure that support is provided.
- Consideration of a buddy or mentoring arrangement.

3.2 Ongoing review of solutions is critical; this will help ensure that the individual remains supported and that the success of the any additional control measures is evaluated and reviewed. The HR Adviser is available to support managers throughout this process and can liaise with Occupational Health for any medical referrals if necessary.

4.0 Further Information & Useful Contacts

4.1 Further information is available from:

- School's Managing Sickness Absence Policy
- Confidential Counselling Service – free and confidential advice
- The school's HR Adviser via the Headteacher
- Health and Safety Officer

4.2 **Health and Safety Executive (HSE)** - www.hse.gov.uk/stress

4.3 **Samaritans** - Provides 24-hour, confidential emotional support to any person who is suicidal or despairing. UK helpline: 0845 790 9090
ROI helpline: 1850 609 090
Website: www.samaritans.org.uk

4.4 **MIND** - Offers many services including help lines, drop-in centres, supported housing, counselling, befriending, advocacy, employment and training schemes.
Information line: 0845 766 0163
Email: contact@mind.org.uk
Website: www.mind.org.uk

4.5 **NHS Direct** Tel: 0845 4647. For health advice and information. Website: www.nhsdirect.nhs.uk

LONE WORKING POLICY

1.0 The school's Health and Safety Policy is a separate document and should be referred to as necessary. All staff are reminded of their duties under the Health and Safety at Work etc. Act 1974

- to take reasonable care for the health and safety of themselves and of others, and
- to co-operate with the employer in matters of health and safety.

1.1 The Directors will provide:

- a safe working environment as far as possible for its employees, and
- information, training and supervision in various matters related to health and safety, such as manual handling, fire safety and first aid.

1.2 Employee's with their Line Managers must carry out risk assessments, to ensure that as far as possible, adequate precautions are put in place in order to reduce any risks identified, and ensure that the school and Governors comply with health and safety obligations.

1.3 Teaching and support staff who fall within the definition of users of Display Screen Equipment under the Health & Safety (Display Screen Equipment) Regulations 1992, are entitled to an annual eye test, details are available from the Finance Office. The school will meet the costs of the eye test, and will also contribute towards the basic costs of any glasses required when using Display Screen Equipment.

1.4 Any failure by an employee to comply with any aspect of the school's Health and Safety procedures will be regarded as misconduct and will be dealt with under the terms of the school's Disciplinary Procedure.

2.0 Introduction

2.1 The Lone Working Policy identifies the general principle for a safe system of work to reduce the risk of injury or damage to health to acceptable level. It is the responsibility for each curriculum area or support section to implement their specific lone working procedures using the parameters of the Lone Working Policy.

2.2 Lone working forms part of the school's day to day activities and has made provision to ensure that lone workers are included in the school's Employers Liability Insurance.

2.3 Lone working takes many forms and may be involved in the following examples:

- Out of core hours working (evening, weekends or very early in the mornings).
- Working separately from others, e.g. in other areas/on a different floor/building on the same site typically during non-term times
- Teaching at off-site locations
- Supporting students (INA, School Nurses, etc.)
- Monitoring student's course work off-site
- Technical reasons e.g. Site Team or technicians undertaking maintenance or repairs
- Mobile workers (e.g. school vehicle users, etc.)
- Work experience placement monitoring including home visits

2.4 Working alone can introduce or accentuate hazards, e.g. lack of assistance if needed, sudden illness, violence from others, emergencies, failure of services, inadequate emergency provision; fire and first aid, etc. Whilst allowing for the best possible use of buildings and facilities within the Trust, managers must ensure that lone working is safe.

3.0 Health and Safety Law

3.1 The Health & Safety at Work etc. Act 1974 places a general duty on the School to provide a safe environment, safe equipment and safe systems of work for its employees and those working on its premises.

3.2 The Management of Health & Safety at Work Regulations 1999 places a requirement for employers to assess risks. These requirements are applicable to all work situations and, in particular, where staff are working alone or outside normal working hours.

3.3 The Reporting of Injuries Diseases & Dangerous Occurrences Regulations 1995 (RIDDOR). Employers must notify their enforcing authority in the event of an accident at work to any employee resulting in death, major injury or incapacity for normal work for three or more days. This includes any act of non-consensual physical violence done to a person at work.

4.0 Definition: Lone Working

4.1 Any situation or location in which someone works without a colleague nearby or when someone is working out of sight or earshot of another colleague. This could be at an offsite location, or on the main school site, where staff are dealing with students or members of the public on their own.

4.2 Lone working may be a constituent part of a person's usual job or it could occur on an infrequent basis, as and when circumstances dictate.

5.0 Management Responsibilities

5.1 Risk assessment

5.1.1 Risk assessments should be undertaken to identify the lone worker and measures introduced to minimise the risks. Lone working activities will be categorised as high, medium, low risk and identify the actions and procedures arising to deal with these different risk-based activities. To assist line managers, a risk assessment guide has been formulated (please refer to Appendix 1)

5.1.2 The risk assessment should be carried out by competent staff (individual or groups) who understand the work activity involved. It follows that this responsibility more often than not falls to line managers, and authorised by SLT, Heads of Department and support staff managers.

6.0 General considerations for assessing risk relating to Lone Working:

6.1 Risk Assessment will consider:

- Identification of lone working staff groups exposed to risk
- Assessment of working conditions and environment; unsafe conditions such as dangerous steps, unhygienic conditions, poor lighting, etc.
- Assessment of particular work activities, which might present a risk to lone workers such as: delivering unwelcome information, use of hazardous substances, work at height, administering medical help, etc.
- Assessing the possibility of an increased risk of violence due to disability, medical conditions, alcohol/drug abuse, etc.
- Assessment of necessary work equipment and the capacity of the lone worker to handle the amount of equipment themselves
- Emergency arrangements and provisions; equipment that may be required such as, a torch, a map of the local area, contact details for emergencies including home numbers and local police etc., a First Aid kit, mobile phone charger, etc.
- The level of training required to reduce risk
- A level of monitoring required to ensure that procedures are maintained appropriately.

7.0 Specific Considerations for Vulnerable Persons

7.1 Particular consideration will be given to those classed as vulnerable persons and as such should not undertake lone working unless a risk assessment is completed.

- Young persons (16-18 year olds)

- Children (under 16 years)
- New and expectant mothers
- Disabled and impaired persons
- Women in an environment of potential violent or criminal activity
- Persons with disclosed serious medical condition/mental health concerns

7.2 New and existing employees are invited to disclose their medical condition on the new starter's health check questionnaire before commencement of work. The details are then assessed to ensure that the employee is able to carry out routine work and deal with foreseeable emergencies which may impose additional physical and mental burdens.

7.3 Additional medical advice may need to be sought from the school's Occupational Health professional.

8.0 Emergency Information

8.1 Prior to commencement of work, the emergency information for the workplace, e.g. off-site venue should be made available to the school's Line Managers to enable the preparation of suitable and sufficient risk assessments.

8.2 The emergency information should contain:

- any local hazards
- the fire plan for the building, with the location of fire-fighting equipment and emergency exits • emergency contact details for the venue point of contact e.g. building manager, caretaker, etc.
- local emergency services numbers, e.g. police station
- First Aid provision should be provided in the form of a suitably stocked First Aid box and a competent First Aider.

8.3 The First Aid arrangements may be met by the lone worker him/herself but only when they hold a current First Aider certificate and carry a School issue suitably stocked First Aid box.

8.4 At off-site venues where caretaking staff remain on duty, induction training should be received prior to commencement of work and this should include the emergency information described above.

8.5 For all lone working a means of communication e.g. a mobile phone or approved alternative must be maintained at all times to ensure that help can be summoned and the alarm can be raised. The means must be suitable to remain effective until the lone worker has returned to their work base or home.

8.6 When fixed alarm and personal alarms are activated, lone workers and their colleagues should be made aware of what procedure to follow.

9.0 Procedures

9.1 Lone Workers Reporting in and Out Practices

9.2 Procedures should be in place to ensure that the lone worker is in regular contact with their Line Manager or relevant colleague.

9.3 The Line Manager should obtain relevant information such as:

- a list of scheduled visits/appointments,
- and full address of where they will be working/visiting
- the details of persons with whom they will be working/visiting
- contact telephone numbers
- how long they expect to be at those locations (both arrival and departure times)
- vehicle details (used by mobile lone worker) registration number, make, model and colour

- 9.4 Arrangements should be in place to ensure that if colleague(s) with whom relevant information have been left, leave for some reason (e.g. shift change over, lunch cover) they will pass the details on to another employee who will check that the lone worker arrives back at their office/base or has safely completed their duties.
- 9.5 Relevant information should be kept confidential and away from unauthorised persons. The Line Manager should consider that in the event of an incident this information may be handed over to the police.
- 9.6 Lone workers should always ensure that a manager or appropriate employee is aware of their movements particularly if they are delayed or have to cancel an appointment. It is important that contact and appointment arrangements that are in place are adhered to.

10.0 Missing Lone Worker

- 10.1 Where there is genuine concern, as a result of a lone worker failing to attend a visit, or an arranged meeting, within an agreed time frame, the manager should utilise the relevant information provided to help track the lone worker and ascertain whether or not they turned up for previous appointments that day. Depending on the circumstances and whether contact through normal means (mobile phone, etc.) can or cannot be made, the manager or employee should involve the Police, if necessary. It is important that matters are dealt with quickly, after consideration of all the facts where it is thought the lone worker may be at risk.

11.0 In the Event of an Emergency/Crisis Calls

- 11.1 A crisis call is defined as a situation where there is an unexpected risk to personal safety/security. The line manager must agree the procedure with the lone worker.

12.0 High Risk Activities

- 12.1 A permit to work forms part of the lone working safe system of work and must be followed for the following high-risk activities. These permits can only be authorised by the Facilities Manager.

- Electrical work – high and low voltage
- Hot work permits

- 12.2 The permit should determine what can and cannot be done while working alone. It should be supported by a job/task specific risk assessment in which details the health and safety control measures required, these measures should include emergency arrangements. The permit should be valid for a stipulated time, the time should be recorded on the document and must not exceed the working day. The permit will be circulated to all relevant staff and will not be completed until the lone worker has communicated his/her completion. In the event of staff change, e.g. shift workers the permit must be communicated at hand/changeover together with the specific lone working procedure. Rescue plans for high risk activities will form part of the permit to work.

13.0 Home Visits

- 13.1 It is the school's policy to avoid home visits by lone workers unless it is authorised in writing by a member of the senior management team, or the role is specifically identified in the post holder's role description.

14.0 Mobile Workers and Company Vehicle Users

- 14.1 Employees who utilise motor transport must ensure that they have insurance for business use. School vehicles (excluding the motorized lawn mower) should be provided and carry emergency provisions; a suitably stocked First Aid box and a fully charged extinguisher. Also information and contact details for emergency breakdown cover and means of communication, e.g. a fully charged (credited) mobile phone or a public phone card should be carried.

15.0 Provision and Use of Equipment/Protective Equipment

- 15.1 In addition to protective equipment for their task/activity, the following provisions should be considered for lone workers.

- Devices which raise the alarm e.g. fixed panic buttons, personal alarms
- Communication equipment e.g. telephones, mobiles, two way radios etc.

15.2 The school will maintain any equipment and communication systems designed to protect lone worker.

15.3 The Line Manager, on issue of equipment to lone workers, will check the equipment for defects, and ensure that the employee has been suitably trained in its use. The equipment issued must have the capacity to remain effective until the lone worker has returned to their base or home. The lone worker upon receipt has responsibility for ensuring the equipment is charged for use and that any equipment found defective is reported immediately to the Line Manager for action.

16.0 Incident Reporting

16.1 All unwanted incidents related to lone working should be reported to your line manager, who should record the incident on one of the following reporting systems:

- Accident Report (for accidents/incidents that result in injury, property loss or damage)
- Near Miss Report (for accidents/incidents that do not result in an injury, property loss or damage)
- Violence & Aggression Report (any incident following an act of violence/aggression)

17.0 Monitoring

17.1 Line Managers should monitor their lone working procedures periodically to ensure that they remain effective. Compliance can be assessed when checking the progress and quality of the work, or in the form of periodic inspection/visits. In some cases, additional monitoring may be required, especially in remote or high-risk areas where it is identified that telecoms cannot be maintained.

18.0 Supervision

18.1 The extent of supervision required depends on the risks involved and the ability of the lone worker to identify and cope with health and safety issues. The level of supervision will be based on the findings of the risk assessment. The higher the risk the greater the level of supervision required. It should not be left to the individual to decide whether they require assistance.

19.0 Training

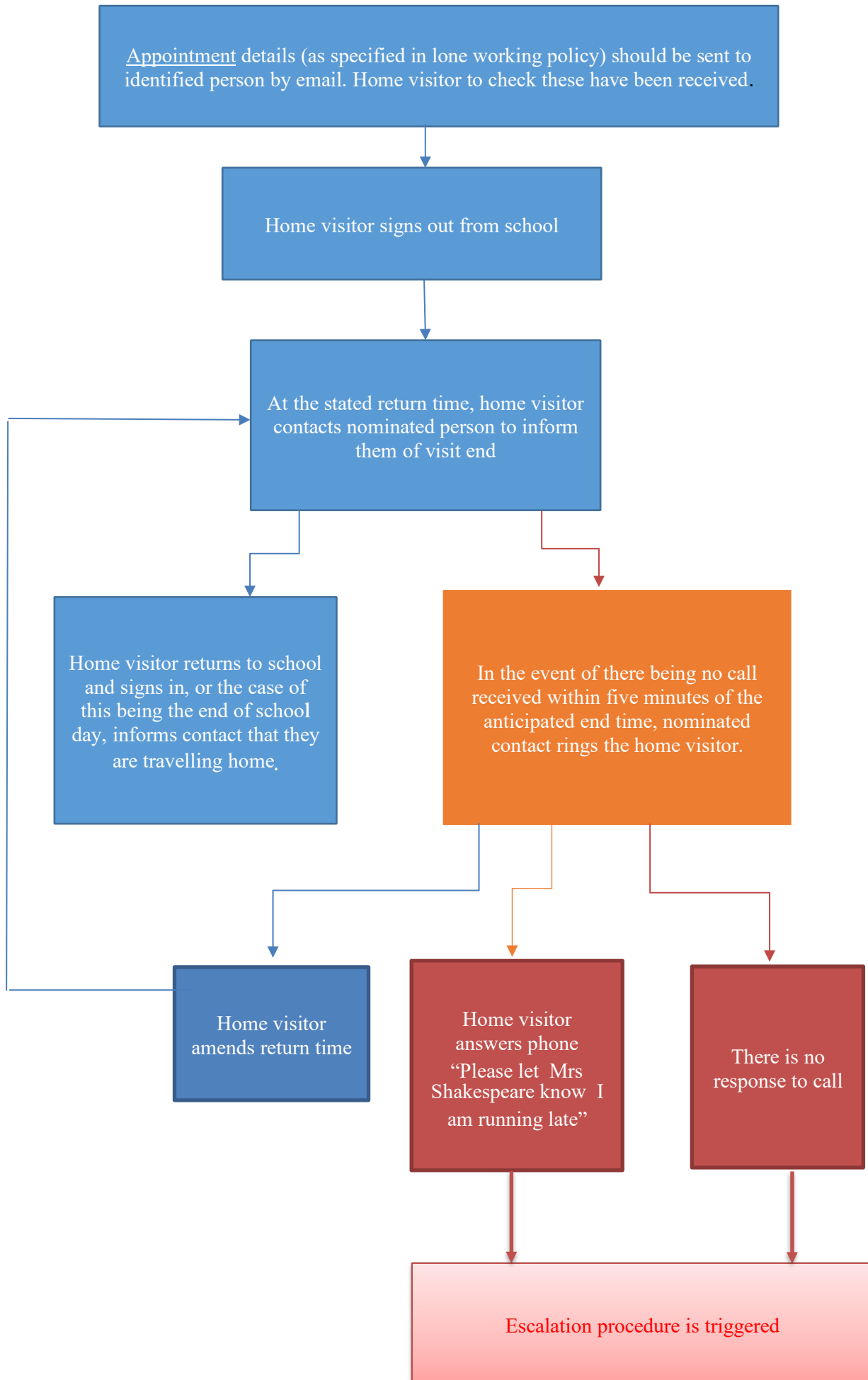
19.1 Lone workers may be required to be trained in the following:

- First Aid training
- Manual handling
- Permit to work
- Induction (local and/or off-site venues)
- Professional training, qualifications and experience
- Emergency procedures, e.g. fire and First Aid
- Equipment and communications familiarisation
- Conflict Resolution & Personal Safety Training

19.2 The training covers the following specific preventative tools for lone workers

- Lone Working Policy
- Lone Working Risk Assessment
- Personal Safety: Mobile Phones, Personal Alarms, Motor transport, Travelling by Foot, Home Visits, Contact with Animals.

APPENDIX A



APPENDIX : RISK ASSESSMENT MATRIX LOW

Risk Level	Activities	Control Measures
Low	<p>Tasks that would normally be undertaken in an office/ classroom and where the work does not involve the use of dangerous machinery or hazardous substances</p> <p>Other low risk activities identified by curriculum, faculty or support section heads*</p> <p>This list is not exhaustive</p>	<p>Lone working is permitted, once the procedure is authorised by the Head of Department / Senior Manager</p> <p>Lone working procedures should ensure that a second person is aware of the first person’s location and they must have access to a means of communication</p> <p>It is recommended that the second person could be another member of staff, relative or friend who knows where the first person is located and the approximate time of return. Relevant details should be exchanged e.g. contact numbers and security codes</p> <p>Inspections/risk assessments of the work area should be undertaken by a school representative to ensure hazards have been identified, risk controlled and provisions for emergencies are in place, e.g. fire escape routes, firefighting equipment, First Aid, etc.</p> <p>Employees have received induction training where health and safety information and local procedures are provided (main site/off-site)</p> <p>Staff are made aware of the correct incident reporting procedures and are encouraged to report actual near miss incidents</p> <p>Employees to attend appropriate training</p> <p>This list is not exhaustive</p>

The Deputy Head or Health and Safety Officer may be consulted before assigning the risk level

Risk Level	Activities	Control Measures
Medium	<p>Work with members of the public (interviews, consultations)</p> <p>Handling money, valuables drugs</p> <p>Employees are working in an area with valuable/marketable equipment</p> <p>Working in areas that are difficult to locate and reach in an emergency</p> <p>Lone workers suffer from illness that might increase the risk</p> <p>Routine laboratory work undertaken by competent and responsible person</p> <p>Performing science experiments</p> <p>Work with or near animals</p> <p>Other medium risk activities identified by curriculum, faculty or support section heads *</p> <p>This list is not exhaustive</p>	<p>Follow low risk control measures and in addition consider:</p> <ul style="list-style-type: none"> • Lone working is permitted, once the procedure is authorised by the Head of Department/Senior Leader • Employees who use rooms for confidential interviews should be equipped with an alarm. In addition to provisions of personal/panic alarms, procedures should be discussed to minimise the risk of violence from public/students • A procedure to be followed when panic has been activated • A procedure to be followed when personal alarms have been activated • Public access to office restricted • Appropriate communication should be maintained with the lone worker. The lone worker equipped by means of 2-way radio communication/mobile phone • Liaise and seek advice and medical records of employee • Additional control measures to the risk assessment (for normal working hours) should be considered due to fewer personnel on site, availability of First Aid • Avoid lone working (at least 2 personnel required) • Restricting work to familiar operations • Informing line manager when work is finished • Employees to attend appropriate Training • This list is not exhaustive

The Deputy Head or Health and Safety Officer may be consulted before assigning the risk level

APPENDIX - RISK ASSESSMENT MATRIX HIGH

Risk Level	Activities	Control Measures
High	<p>Home visits</p> <p>Operation of specified dangerous machines without sufficient training</p> <p>Moving and lifting machinery</p> <p>Use of ladders which cannot be secured and require footing by a second person</p> <p>Use of ladders</p> <p>Erection and use of (zip-up) scaffold towers</p> <p>Work on or near live electrical conductors</p> <p>Use of chemicals with workplace exposure limits (WELs)</p> <p>Contact with potentially violent or aggressive staff/students (identified via previous reports/incidents)</p> <p>Confrontation with trespassers</p> <p>Off-site venues/locations with a reputation of a potential high crime rate</p> <p>Other high risk activities identified by curriculum, faculty or support section heads*</p> <p>This list is not exhaustive.</p>	<p>Lone working in general not permitted - Please liaise with your Head of Department /Senior Leader</p>

*The Deputy Head or Health and Safety Officer may be consulted before assigning the risk level

MANAGING SICKNESS ABSENCE POLICY

1.0 Introduction

1.1 The Trust and its staff have a duty to its students and stakeholders to provide a consistent and high level of service at all times. We expect regular and punctual attendance from all our staff and ask each employee to take responsibility for achieving this. At the same time, we are totally committed to the health and wellbeing of our staff and to supporting employees who have genuine grounds for absence.

2.0 Purpose

- provide a supportive framework for the management of sickness absence
- ensure employees are treated fairly and consistently in managing sickness absence
- help achieve and maintain good levels of attendance at work
- explain what we expect from Managers and employees when handling sickness absence
- to ensure staff cover arrangements for absences maintain quality and effective services

3.0 Scope of the Procedure

3.1 The procedure will be applied in all cases of short-term and long-term sickness absence. It applies to all staff employed by the school.

4.0 Expectation of Employees

4.1 We expect all employees to:

- attend work regularly and punctually
- if they are absent from work, speak to their Manager/designated absence contact as early as possible to enable cover to be arranged and in the case of teaching staff send a follow up email providing any information regarding cover arrangements
- give a clear indication of the nature of their illness and likely return date
- provide certificates in line with the absence notification procedure
- keep in touch with their Manager throughout their absence by telephone – daily for periods of self- certification and usually weekly thereafter
- consider engaging with any referral to Occupational Health or other support offered by the School
- follow their GP's recommendations and/or advice of any referrals

5.0 The Role of the Manager

5.1 Managers are expected to take an active interest in the health, welfare and attendance of their staff. They are responsible for implementing this policy throughout their area of management responsibility, including:

- ensuring that all staff are aware of the sickness absence notification procedures
- keeping in touch with absent staff
- maintaining confidentiality
- arranging a return to work interview on an employee's first day back at work or as soon as practicable following an absence of three days or more
- supporting staff who have recently returned to work after sickness absence
- monitoring absences to identify possible causes and any action which could be taken to alleviate these
- seek advice and guidance from the Headteacher who will be advised, where necessary by the school's HR Adviser.

6.0 The Role of the School's HR Adviser

6.1 The HR Adviser provides a supportive advisory service to the Headteacher in dealing with sickness absence. This service includes advice on:

- monitoring absence information provided by Finance Office
- advising and training Managers on the implementation of procedures
- supporting Managers through regular sickness absence reviews
- making referrals to the Occupational Health service and other services
- overseeing the programme of health and wellbeing initiatives
- sick pay entitlement and information relevant to staff

7.0 The Role of Occupational Health

- 7.1 The Trust uses an external Occupational Health service to obtain professional advice on health-related issues. A referral will normally be made for any absence of four weeks or more (or following recovery from planned surgery/treatment) but may also be made for shorter absences where guidance is required and/or where health issues are affecting an employee at work.
- 7.2 The Occupational Health service will be asked to assess the employee and to provide a report for the school, copied to the employee regarding the employee's fitness for work and, where relevant, the following:
- likely timescale for return to work
 - likelihood of further sickness absence occurring
 - recommended steps to facilitate the employee's return to work
 - recommendations regarding reasonable adjustments and phased returns if appropriate
 - access to specialist services such as counselling, physiotherapy or specialist referral
 - advice on the suitability of redeployment, where an employee is unable to remain in their current job for reasons of health or disability
 - the Occupational Health service may ask the employees GP or Consultant for medical records, which will only be released if employees' consent is provided

8.0 Sick Leave Cover

- 8.1 Upon receiving notification of the employee's sick leave, the line manager will be responsible for making necessary arrangements regarding cover if required.

9.0 Time limits

- 9.1 The time limits set out in this procedure are provided as a guide to the trust's normal practice and may be adjusted in the light of individual circumstances.

10.0 Preventative Measures

- 10.1 As part of its commitment to staff health and wellbeing, the trust has a separate policy which looks at preventative measures for absence through health and wellbeing initiatives. We maintain separate risk assessment for Covid-19.

11.0 School Attendance

- 11.1 The cost of absence to the school is high both in financial terms and also in terms of impact on staff morale and the standard of teaching, learning and support given to our students.
- 12.1 Managers need to ensure absences are carefully monitored and to flag up with the Headteacher any cause for concern e.g. regular patterns/frequent odd days/long term absences. For this reason, the School's will be setting an annual target for staff attendance levels which will aim to reduce absence levels.

13.0 Confidentiality

13.1 We respect the confidentiality of all information relating to an employee's sickness. This policy will be implemented in line with the current legislation on data protection and access to medical records. In the event that it is necessary to communicate the employee's absence with staff, this should be agreed with absent employee in advance.

14.0 Disability Absence

14.1 The School is committed to ensuring that no employee who is disabled or becomes disabled is disadvantaged in the management of absence because of their disability. In particular:

- we will make reasonable adjustments to enable disabled employees to return to work or continue working
- we will seek advice from the Occupational Health Adviser and appropriate specialist agencies on best practice in supporting staff with disabilities

15.0 Maternity Absence

15.1 We are committed to ensuring that no employee who is pregnant is disadvantaged in the management of absence. In particular:

- Finance Office will keep records of maternity related absence, such as ante-natal appointments, separate from sickness records
- a health and safety risk assessment will be carried out for every pregnant employee

16.0 Return to Work Interviews

16.1 Managers will arrange to meet members of staff on their return to work following a period of sickness of three days or more or each time where there are regular absences for the same reason in any four week period. This will be in the form of a 'Return to Work Interview' on the employee's first day back at work (see Return to Work form, Appendix B).

16.2 The purpose of the return to work interview is to:

- welcome back the employee
- check whether the employee is fit for work
- identify any underlying problems
- offer help and support
- update the employee on developments at work during their absence
- consider and agree any phased return arrangements recommended by the employee's GP or Occupational Health Adviser
- note the employee's attendance levels over the preceding 12 months
- if appropriate, refer to the Headteacher with a view to obtaining occupational health advice
- identify any adjustments to their work/workplace and agree implementation of adjustments
- identify if a Risk Assessment is required

16.3 During the interview a Return to Work form must be completed, dated and signed by both the employee and the Manager. The form must be forwarded to the Headteacher immediately after the interview.

17.0 Trigger Points

17.1 The following trigger points will be used by Managers as a guide to determine whether an absence review should be undertaken with an individual employee.

- 3 periods of absence (whatever duration) in a rolling six-month period
- 20 working days or more of continuous absence (long term sickness)
- 10 days or more of uncertified absence in a rolling twelve-month period

- a pattern of absence that is of concern e.g. Mondays and/or Fridays (or any set days of the week on a regular basis) or absence following bank holidays.
- 17.2 On some occasions, a Manager may take action before a trigger point is reached, for example where it is felt that early support from Occupational Health is necessary for preventative purposes or where there is a pattern of persistent absence falling just below the trigger points.
- 17.3 Although each case should be determined according to the circumstances, Managers must seek to treat staff consistently and should seek the guidance from the Headteacher before taking action outside the normal trigger points.
- 18.0 Managing Short Term Absence**
- 18.1 **Occasional days or repetitive sporadic sickness absence** is defined as one or more day's absence up to and including seven calendar days which are covered by the self- certification procedure.
- 18.2 **Short term sickness absence** is certified absence which exceeds seven calendar days but is less than one month.
- 18.3 Occasional days, repetitive sporadic and/or short-term absence occurs when the total absence amounts to a significant number of days and/or forms a pattern and which adversely impacts on the operational effectiveness of the School.
- 18.4 It is accepted that employees may have occasional short-term sickness absence and we will support staff who have genuine and acceptable grounds for occasional absence from work. However, more frequent absences are disruptive to teaching and learning, are costly to the trust and may have a negative impact on students and those employees that have to provide cover. This notwithstanding , we are sensitive to specific circumstances current in relation to Covid-19 and the impact of self-isolation/track and trace requirement which we review in light of changing guidance from the DfE/HSA.
- 18.5 It is expected that the majority of concerns about frequent sickness absence will be resolved by Managers through informal day to day management, including the sickness absence notification procedure, return to work meetings and informal reviews between the Manager and the employee. Managers should maintain records of discussions held with the employee and log the dates and reasons for absences. We will log employee absence for Covid to ensure it identifies patterns or extensive absences, so that support or any necessary action can be taken.
- 18.6 Where an employee's sickness absence level reaches one of the above trigger points, the Manager will review their absence record in consultation with the employee and the Headteacher and then hold a meeting with the member of staff. This initial meeting is informal and therefore it is not usually necessary for a Trade Union representative to be present.
- 18.7 The Manager should discuss:
- the employee's attendance record and reasons for absence
 - the impact the absence is having and the concerns the Manager has regarding the absences.
 - the employee's response and any underlying reasons/mitigating circumstances to be taken into account.
 - future expectations of the employee
 - support available, frequency of monitoring and agreed review date.
- 18.8 As a result of this meeting if the Manager does not consider that the issue causing the absence has been resolved, they may take one or more of the following actions:
- refer the employee to/seek advice from Occupational Health
 - seek advice on further offers of support to help the employee reduce their absence
 - initiate the first stage of the Formal Absence Management Procedure (see Appendix D)
- 18.9 In all cases the School will continue to monitor, review and record the individual's absence record and if there is no significant improvement in attendance, the Formal Absence Management Procedure will be initiated (Appendix D).

19.0 Managing Long Term Absence

- 19.1 **Long term sickness absence** is defined as an absence lasting four weeks or more.
- 19.2 Where an employee's absence is likely to be long-term, it is important that they are offered support throughout the period of absence. The Manager, or designated contact person, should contact the employee regularly to find out how they are, keep them in touch with developments in the workplace and discuss arrangements to support their return to work. The frequency of contact should be judged by the Manager and based on the reason for the absence. Any contact should be supportive and non-judgemental.
- 19.3 The Manager will keep the Headteacher informed regarding a continuing and expected long term absence and ensure Doctor's Certificates are sent in regularly. Finance Office will contact the employee, when necessary, to inform them of their sick pay entitlements and any other contractual information as well as the need to refer the case to Occupational Health if the absence continues.
- 19.4 After four weeks of sickness absence, or if a certificate is received for four weeks or more, the Manager should contact the Headteacher to discuss carrying out an absence review and, where appropriate, refer the employee to Occupational Health. The Occupational Health Adviser will provide the School with a report on the employee's state of health, the likely length of their absence and any steps the School should consider to support the employee and facilitate their return to work. This report will enable the School to plan any re-organisation of work or temporary replacement during the period of recovery. A copy of the Occupational Health Adviser's report will be sent to the employee who should be invited to attend a meeting to discuss its contents.
- 19.5 In circumstances where an employee is not expected to be able to resume their normal duties (subject to any reasonable adjustments) or normal working hours within the foreseeable future, opportunities for redeployment to suitable alternative employment or a contractual change in working hours may be explored in consultation with the employee.
- 19.6 In cases where the employee has been referred to Occupational Health and is awaiting a review and in the meantime the employee's GP has declared the employee fit to return to work, it may be necessary to 'medically suspend' the employee until the Occupational Health Adviser has completed their review. In this case the employee must not return to work until the Occupational Health Adviser has declared the employee fit to do so.
- 19.7 There may be circumstances where an employee's sickness absence appears to be of indefinite duration, or where the employee's health is such as to prevent them from returning to work for the foreseeable future. In such a situation the School will have to consider dismissing the employee in accordance with Stage 3 of the Formal Absence Management Procedure (Appendix D). Managers are reminded of the importance of keeping records, making notes of discussions held, telephone calls made etc., as these records will be needed in cases where action under the Formal Absence Management Procedure is necessary.

20.0 Ill Health Early Retirement

- 20.1 Where an employee's medical condition is sufficiently serious to suggest that they may not be able to undertake their duties on a permanent basis, ill health early retirement may be appropriate, subject to certain eligibility requirements.
- 20.2 To be able to take your pension early for ill health reasons the employee must satisfy conditions set by the Teachers Pensions or Local Government Pension Scheme.
- 20.3 Pension scheme rules will state who decides if employees qualify for an ill health pension and what evidence is required. Contact Finance Office if you think you may be able to take your pension early due to ill health.

21.0 Unauthorised Absence

- 21.1 If an employee does not arrive for work and does not contact their manager in accordance with this procedure to ensure that adequate cover can be provided, the Manager will contact the employee to express concern for their welfare and ascertain the reason for their absence.

- 21.2 Unauthorised absence and/or failure to comply with the sickness absence notification procedures may, after appropriate investigation, lead to disciplinary action against an employee. In exceptional circumstances, sickness or other appropriate leave may be granted retrospectively or, in some exceptional cases, it may be appropriate to deduct pay.
- 21.3 Unauthorised absence includes lateness and leaving work early without prior approval.
- 21.4 In cases where an employee persistently refuses to conform to the requirements of this procedure, the matter may be considered as a Disciplinary matter. In such cases, a full investigation will be carried out and at the initial investigation meeting, discussions with the employee will be held to ascertain:
- the reasons for the absence
 - their awareness of the absence notification procedure
 - their reasons for not following the procedure
 - the difficulties the absence has caused
 - future expectations of the employee
 - monitoring of future absences • possible pay implications
 - consequences if they continue to refuse to follow the procedure i.e. formal Disciplinary Action under the School's Disciplinary Procedure.
- 21.5 Managers should, at all times, deal sensitively with absences in case there are underlying health or other genuine reasons for absence.
- 21.6 The Headteacher should be informed at all times and should seek HR advice at an early stage in the process.

APPENDIX A

1.0 Absence Notification Procedure for all staff

- 1.1 First day of absence
- 1.2 Staff should **telephone** the Cover Supervisor or the Senior Administrator (for Support Staff) or designated absence contact to report their absence so that any cover needed can be arranged as soon as possible. This should be by telephone and as soon as possible but no later than **8.30am**.
- 1.3 The absence notification should be made personally by the employee unless this is impossible, e.g. if the employee is seriously ill or in hospital, in which case the absence may be reported by a relative or other person.
- 1.4 If the Cover Supervisor or Senior Administrator is not available the employee may leave a message and the Cover Supervisor or Senior Administrator will return the call as soon as they are free.
- 1.5 A brief reason for absence and the expected duration must be given. If the duration is not known, the employee should telephone regularly keep in touch with their Manager throughout their absence by telephone – daily for periods of self- certification and usually weekly thereafter.
- 1.6 The Cover Supervisor/Senior Administrator must ensure that that the Finance Officer is notified of the absence without delay preferably by email.

2.0 Absences of seven days or more

- 2.1 Any absence of seven days or more requires a medical certificate (Fit Note) from the employee's GP. Employees should send medical certificates direct to their Manager as soon as possible who will then notify the Headteacher and Finance Officer. The original certificate should be given to Finance Officer as soon as it is received.
- 2.2 Absent staff are expected to send in medical certificates promptly and must keep their Manager informed of their condition and the likely duration of their absence.
- 2.3 Managers will need to keep the Headteacher informed in order to assist them with appropriate ways of supporting the employee and facilitating a return to work as soon as the employee is fit.

3.0 Return to work after a period of absence

- 3.1 An employee returning to work after a period of absence for less than seven days must complete the Self Certification Form (APPENDIX B) as early as possible on their first day back to confirm their return to work. **This is the responsibility of the individual** and not the Manager.
- 3.2 The Manager will hold a Return to Work interview with the employee as early as possible on their first day back at work. A Return to Work Form (APPENDIX C) will be completed as part of the interview and signed by the Manager and the employee. The need for a risk assessment will also be determined as well as any phased return/adaptations recommended by the GP or Occupational Health Adviser.
- 3.3 NB. Phased returns, adaptations, return to lesser duties or a different post must be recommended by the employee's GP or the Occupational Health Adviser – not the employee.
- 3.4 If an employee has been absent for more than 14 days they must bring with them a Statement of Fitness for Work (Fit note) from their GP. This is an important document as it confirms the GP believes the employee is fit for work and may also contain advice on a phased return to work or adjustments which the School should consider to assist the employee back in to work.
- 3.5 After the Return to Work interview, the Manager must ensure that the Return to Work Form and any Statement of Fitness for Work are forwarded to the Finance Office **without delay**.

APPENDIX B

1.0 Return for Absence/Self-Certification Form

Section 1 – To be completed by the employee

Please complete on your return from absence/sickness and return to your line manager.

Your Details Finance Office Number

Surname First Name

Start Date of Absence Start Date Fit to Return

If you left work part way through a normal working day due to your absence/sickness, what time did you leave?

Reason for absence: Please tick as appropriate	
<input type="checkbox"/> Anxiety / Stress / Depression	<input type="checkbox"/> Gynaecological
<input type="checkbox"/> Asthma	<input type="checkbox"/> Infectious Disease
<input type="checkbox"/> Back Problems	<input type="checkbox"/> Injury, Fracture
<input type="checkbox"/> Chest & Respiratory Problems	<input type="checkbox"/> Headache / Migraine
<input type="checkbox"/> Cold, Cough, Flu	<input type="checkbox"/> Musculoskeletal Problems
<input type="checkbox"/> Dental & Oral Problems	<input type="checkbox"/> Pregnancy Related
<input type="checkbox"/> Diabetes / Thyroid	<input type="checkbox"/> Skin Disorder
<input type="checkbox"/> Ear, Nose & Throat	<input type="checkbox"/> Stomach Upset / Gastrointestinal Problems
<input type="checkbox"/> Eye Problems	<input type="checkbox"/> Hospital Appointment
<input type="checkbox"/> Other, Please Specify	

Declaration

I confirm that the information given above is correct to the best of my knowledge

Signed Date

Section 2 – To be completed by the manager

Please countersign the form and return to the Finance Officer

Signed	Date
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In the event that you do not wish to disclose the nature of the absence to your line manager, please discuss your concerns with the Deputy Headteacher at the earliest opportunity.

APPENDIX C

1.0 RETURN TO WORK FORM

Name of Employee Post Title

Department Line Manager

Dates of Absence

Reason for Absence

Number and duration of absences in the past 12 months

Has the employee’s absence been covered by a Fit Note?

Brief Summary of Doctor’s Advice regarding Fit Note.

Have any of the following been suggested?

Phased return to work (not normally agreed for more than 4 weeks)	Yes/No
Altered hours	Yes/No
Amended duties	Yes/No
Workplace adaptations	Yes/No

Details of any adaptation that can be agreed, including timescales and increased phasing

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Further questions (please delete as appropriate and include any comments in the notes of discussion on the following page)

Is this a recurring illness or likely to occur again?	Yes/No
Is there anything that we need to be aware of?	Yes/No
Can the employee do all aspects of their job role?	Yes/No
Is the employee taking any medication that may affect their work?	Yes/No
Was the absence caused or made worse by workplace factors?	Yes/No

If absence was due to an injury sustained at work has the Accident Report been completed and the Health and Safety Office informed? Yes/No

Was the absence caused by a third-party accident, please notify the Finance Office (who will seek a claim against the third party’s insurer) Yes/No

Notes of discussion - to include arrangements and duration of phased return, reduced hours, adaptations agreed (continue on a separate page if necessary)

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Has a risk assessment been undertaken? Yes / No / N/A
Does the employee need to be booked on refresher Manual Handling course? Yes / No / N/A
Has the original Statement of Fitness for Work been forwarded to the Finance Office? Yes / No

Further action needed and agreed
.....
.....
.....

Review Date

Must be signed by all persons present
Employee Date
Manager Date
Other Senior Manager (if applicable) Date

A copy of this form should be kept by the employee and the Manager. Please forward a copy to the Finance Officer as soon as it is completed.

APPENDIX D

1.0 Formal Absence Management Procedure

- 1.1 The Trust understands that absence can be very difficult for members of staff and wishes to support staff as much as possible. However, this must be balanced against the needs of students and employees and at times it will be necessary to move into a formal process for managing an absence case.
- 1.2 The formal process has three stages and members of staff will be treated supportively throughout. In most cases, the three stages will be used sequentially. However, in certain cases where absence levels are very high and are having a very serious effect on service delivery, or where there is no apparent prospect of an employee returning to work in the foreseeable future, the school may move directly into the later stages.
- 1.3 If the employee is disabled, the school will, at all stages of the procedure, consider whether any reasonable adjustments should be made to support the employee and enable them to attend work regularly.
- 1.4 Employees will have the right to be accompanied at any formal consultation meeting by a Trade Union representative or a work colleague. If the representative or work colleague is not available for the time and date of the meeting, the employee may propose a reasonable alternative date which should be within five days of the original meeting date.
- 1.5 At Stages 1 and 2 a time limit for attendance to improve should be given and a review date established to assess whether this improvement has been achieved. This period will normally not be less than 1 month and not more than 3 months.
- 1.6 Managers should seek advice and support from the Deputy Headteacher throughout this procedure.
- 1.7 Advice from the school's HR Adviser should be sought throughout this process.

2.0 Stage 1: First Consultation Meeting

- 2.1 The employee will receive at least five working days' written notice of the meeting and will be provided in advance with copies of any documentary evidence that will be considered at the meeting.
- 2.2 During the meeting, the Deputy Headteacher, who may be accompanied by the HR Adviser, will consider:
 - the absence record of the employee and the reasons for the absence
 - any underlying reasons for the absence or mitigating circumstances
 - the impact of the absence on the school – including students and work colleagues
 - any occupational health reports that have been received
 - future expectations and support available
 - the monitoring that will take place, timescales and review date
- 2.3 The employee will be given the opportunity to raise any issues they wish to be considered. There will be the opportunity to discuss any measures to assist the employee in their attendance at work.
- 2.4 After consideration of the available evidence and the employee's response, the Manager may decide to issue the employee with a first stage improvement note for unsatisfactory attendance in the form of a letter to the employee. This will set out the attendance problem, the improvement that is required, the timescale for review, any support that will be given and the employee's right to appeal. A copy of the letter (first improvement notes) will be kept on the employee's file but will be disregarded for the purpose of this procedure if the employee's attendance remains satisfactory for a period of 12 rolling months.
- 2.5 An employee has the right to appeal against the first improvement note. Appeals must be made in writing to the Deputy Headteacher within five working days of receipt of the first improvement note, giving the grounds for appeal. The appeal will be heard by the Deputy Headteacher who will review the first improvement note. The Deputy Headteacher decision will be final.

3.0 Stage 2: Final Consultation Meeting

- 3.1 If there is a failure to improve attendance during the currency of a first stage improvement note for unsatisfactory attendance, a Stage 2 Consultation Meeting will be held. The employee will receive at least five working days' written notice of the meeting and will be provided in advance with copies of any documentary evidence that will be considered at the meeting.
- 3.2 The meeting will follow the same format and cover the same areas as the First Consultation Meeting. The employee will again be given the opportunity to raise any issues they wish to be considered and will again have the opportunity to discuss any measures to assist them in their attendance at work.
- 3.3 After consideration of the available evidence and the employee's response, the Manager may decide to issue the employee with a final improvement note for unsatisfactory attendance in the form of a further letter. This will set out the attendance problem, the improvement that is required, the timescale for review, any help that will be given and the employee's right to appeal. A copy of the letter (final improvement notes) will be kept on the employee's file but will be disregarded for the purpose of this procedure if the employee's attendance remains satisfactory for a further period of 12 rolling months.
- 3.4 An employee has the right to appeal against the final improvement note. Appeals must be made in writing to the Deputy Headteacher within five working days of receipt of the final improvement note, giving the grounds for appeal. The appeal will be heard by a different member of SLT who will review the final improvement note. The SLT member's decision will be final.

4.0 Stage 3: Dismissal Hearing

- 4.1 If there is a failure to improve attendance during the currency of a final improvement note for unsatisfactory attendance, another member of SLT who has not previously been involved in the process, will carry out a full investigation of the facts of the case. This will include reviewing all documents from the first and final consultation meetings, carrying out an investigatory interview with the employee and their Manager and consider any further occupational health evidence that is available.
- 4.2 The member of SLT will decide, after seeking advice from the HR Adviser, whether to recommend that a Dismissal Hearing is arranged with the Headteacher, to consider dismissal on the grounds of capability (ill-health).
- 4.3 The employee will receive at least five working days' written notice of the Stage 3 Dismissal Hearing and will be provided in advance with copies of any documentary evidence that will be considered at the meeting. The employee can provide any written evidence in support of their case in advance of the Hearing and to be accompanied at the Hearing by a Trade Union representative or a work colleague.
- 4.4 During the Hearing, the Headteacher, who will be advised by the HR Adviser, will consider:
- the absence record of the employee and the reasons for the absence
 - any underlying reasons for the absence or mitigating circumstances
 - the impact of the absence on the school – including students and employees
 - any occupational health reports that have been received
 - the advice and support given during previous stages of the Procedure
- 4.5 The employee will be given the opportunity to raise any issues they wish to be considered. There will be the opportunity to discuss any adaptations, interventions or solutions which may assist the employee in their attendance at work.
- 4.6 After consideration of the available evidence and the employee's response, the Headteacher, with advice from the HR Adviser may decide to give the employee notice of dismissal on grounds of capability (ill-health) or on the grounds of misconduct if they conclude that the employee has wilfully disregarded their obligations under the Procedure.

- 4.7 If the decision is taken to dismiss, the employee will be provided in writing with the reasons for dismissal, the date on which the employment will terminate and the right of appeal.
- 4.8 An employee has the right to appeal against the notice of dismissal. Appeals must be made in writing to Clerk to the Governors within five working days of receipt of the written notice of dismissal, giving the grounds for appeal. The Chair of Governors supported by another designated HR Adviser, will hear the appeal and make a decision on whether the appeal should be upheld. The decision of this Appeal Panel will be final.

APPENDIX E

1.0 Paid Sick Leave

1.1 Subject to the provisions of this scheme, employees will be entitled to the following periods of paid sick leave:

2.0 Teaching staff

Service	Sick Pay
During 1st year of service	full pay for 25 days, and after 4 calendar months' service, half pay for 50 working days
During 2nd year of service	full pay for 50 working days and half pay for 50 working days
During 3rd year of service	full pay for 75 days and half pay for 75 days
During 4th and successive years:	full pay for 100 working days and half pay for 100 days

3.0 Support staff

Service	Sick Pay
During 1st year of service	1 month's full pay and, after 4 months' service, 2 months' half pay
During 2nd year of service	2 months' full pay and 2 months' half pay
During 3rd year of service	4 months' full pay and 4 months' half pay
During 4th and 5th year of service	5 months' full pay and 5 months' half pay
After 5 years' service	6 months' full pay and 6 months' half pay

3.1 The scale is to be regarded as a minimum and the School has discretion to extend its application in any individual case.

3.2 For the purpose of calculating entitlement to sick leave, as detailed above, a rolling 12 month period shall be used. The entitlement to paid sick leave for a specific period of sickness absence is calculated as follows:

- by calculating the entitlement appropriate to the employee's service on the first day of any period of sickness absence, and
- by deducting from that entitlement the aggregate of periods of sickness absence during the twelve months immediately preceding the first day of absence.

3.3 If the employee is entitled to receive SSP, or is in receipt of any other allowances or benefits these will be offset against any entitlement to full pay.

3.4 Where the employee is entitled to receive half pay, the total sum of half pay plus SSP, if appropriate, and any other benefits or allowances, must not exceed full pay. If necessary, the half pay allowance will be reduced.

3.5 If a public holiday occurs during a period of sick leave, the employee will continue to receive sick pay. However, no payment will be made for a public holiday which occurs during a period of unpaid sick leave.

- 3.6 In determining an employee's normal pay for the purposes of the scheme, the School will include any regular paid overtime which is an express requirement of their terms of employment.
- 3.7 A period of absence due to injury sustained by the employee in the actual discharge of his/her duties, and which is not attributable to any fault of his/her own, will not be recorded for the purposes of this scheme.

ORGANISATIONAL CHANGE/REDUNDANCY POLICY & PROCEDURE

1.0 Part 1 - Policy

- 1.1 It is the policy of The Gryphon Trust, by careful forward planning, to ensure security of employment for all its employees as far as possible. This policy and procedure apply to all employees and should be read in conjunction with other policies and procedures that affect the employment of staff.
- 1.2 It is recognised that there may be times when a reduction in posts due to changes in organisational requirements cannot be avoided. This policy is designed to ensure that, when there is a need to reduce posts, natural wastage, voluntary reductions in hours, redeployment options to other suitable posts take place if possible, and where this is not possible, the policy sets out arrangements for voluntary and compulsory redundancy.
- 1.3 Where compulsory redundancy is unavoidable the school/trust will handle the redundancy in a fair, consistent and sympathetic manner.
- 1.4 The drafting of proposals for the restructuring of staffing provisions will be the responsibility of the respective headteacher and must clearly state:
 - The rationale for the change
 - How these meet the strategic goals of the school/trust
 - The impact the proposals will have on staff
 - The anticipated costs of the reorganisation
 - The proposed savings if appropriate
 - A timetable for restructuring
 - Proposed implementation date
- 1.5 The headteacher will be expected to seek support and advice from the school's HR adviser to ensure that any proposals meet the requirements of this policy and employment law.

2.0 Part 2 - Procedure

2.1 MEANING OF REDUNDANCY

- 2.2 Under the Employment Rights Act 1996 an employee is dismissed because of redundancy if his/her dismissal is wholly or mainly attributable to the reasons outlined in the Act

3.0 Avoiding Redundancy

- 3.1 The school/trust will consider the following measures to minimise or avoid compulsory redundancy situations:
 - natural wastage resulting from employees leaving
 - restrictions placed on recruitment
 - retraining and redeployment to other suitable roles within the school/trust
 - seeking expressions of interest for voluntary redundancy
 - increasing flexible working arrangements e.g. job share, part time contracts, reductions in hours
 - holding other vacancies for redeployment opportunities
 - reviewing overtime, temporary and casual employment costs
 - reviewing other non-staff costs and whether savings can be made

4.0 Collective Consultation

- 4.1 In the event of **any** proposed reduction of staffing which affects the employment of existing staff, consultation with the recognised trade unions will be undertaken at the earliest opportunity and in good time prior to any redundancy taking effect. If redundancies are on a large scale*, at least 30 or 45 days in advance of the proposed redundancies taking effect, written statutory notification will be issued to the relevant recognised trade unions. Consultation will include discussions about:

- The reason for the proposals
- The number and descriptions of employees affected
- The total number of employees of any such descriptions employed by the school/trust
- The timing and method by way in which employees will be selected for redundancy
- The preferred method of calculating redundancy pay
- Clarification of the severance terms that the employees will receive.

4.2 NB Large scale redundancy involves the redundancy of 20 or more employees.

* In accordance with the trade union and labour relations (consolidation) act 1992 (amendment) order 2013 consultation must take place at least 30 days before the first dismissal takes effect if 20 – 99 employees are to be made redundant at the one establishment over a period of 90 days or less. If 100 or more employees are to be made redundant at one site over a period of 45 days or less consultation must take place at least 45 days before the first dismissal takes effect. Consultation with recognised trade unions will take place in accordance with the statutory requirements.

5.0 Consulting with employees

5.1 Any affected employee will be notified of the proposal to declare his or her post redundant and the reasons for it. The employee will be invited to a meeting to discuss the matter. The employee should take all reasonable steps to attend the meeting. The employee may be accompanied by a work colleague or a trade union representative during such consultations. Individual meetings will normally be undertaken by the headteacher and, if appropriate, with the school's HR Adviser.

5.2 Initial information about redundancy proposals will be given through team meetings and/or the issue of a statement setting out the timetable for implementation of the redundancies. Any such announcement will state the reason for the proposed redundancies and the criteria proposed for selection purposes. Where statutory requirements for collective consultation apply (as in paragraph 4) the school/trust will observe those requirements.

5.3 Further consultation will continue with individual employees and his or her union representative or work colleague until redeployment or the termination of employment.

5.4 Employees will be entitled to be accompanied by a trade union representative or work colleague at all meetings if they so wish.

6.0 Redeployment

6.1 The school/trust will consider whether employees likely to be affected by redundancy can be offered suitable alternative work or redeployment within the school or trust.

6.2 Where the redundancy situation is a result of a restructure, employees vulnerable to redundancy may be considered against the new structure and, where possible, “slotted” into a suitable post.

6.3 Slotting will be relevant where there is a close correspondence between an existing post and a new position (as a rule of thumb a 70% or greater match), in which case an individual should be appointed to the new structure, rather than being requested to compete. (Where there are more staff who can be slotted than posts available, a selection process will take place).

6.4 Other employees will be encouraged to apply for any remaining reshaped jobs in a limited competition process (known as “ring fencing”). Where an employee is not appointed to a post in the new structure, they will be considered to be in a redundancy situation, unless they can be redeployed to another vacant post.

6.5 “Bumping” occurs where an employee is redeployed into another role as a consequence of his/her position being made redundant, and another employee (who performs that role) is dismissed in the place of the employee who has

been redeployed to this post. The school/trust would only usually consider 'bumped' redundancies where the employee who becomes redundant does so on a voluntary basis.

- 6.6 In a redundancy situation, all vacancies will be notified to the employee who may apply in the normal way and interviews for posts will be held and normal selection criteria will be applied. If more than one employee expresses an interest in the same post, all candidates will be interviewed before an offer of employment is made.
- 6.7 The school/trust will endeavour to ensure that offers of redeployment will be reasonable and relevant for the employee concerned and shall take account of the employee's current job description, pay, status, location, working environment and hours of work. Any offer of alternative employment will be made in writing before the end of the current contract of employment, specifying such details as salary, grade and hours of work. Redeployment will take effect either immediately on the ending of the current contract of employment or no later than 4 weeks after its termination (in either event such termination will therefore not amount to a dismissal in law).
- 6.8 Where possible, reasonable opportunities for retraining, which may aid redeployment, will be available subject to financial and timing constraints.
- 6.9 Staff will be entitled to a statutory trial period of 4 weeks from the date of the new/ renewed contract of employment. The trial period will enable both the employee and the school/trust to decide whether the post is suitable. The trial period may be extended by mutual agreement for the purposes of retraining. If at the end of the trial period the headteacher, in consultation with the line manager or the employee considers the post to be unsuitable, the employee will be entitled to receive his or her statutory redundancy payment.
- 6.10 The trial period can be terminated by the employee or the school/trust, on reasonable grounds, in which case any statutory redundancy pay and any pay in lieu of notice will be paid.
- 6.11 Where a post is offered as redeployment (suitable alternative employment) which is one grade lower than the original post, the employee's salary will remain at the higher level, for a period of up to 6 months or until the new salary exceeds the old if this is sooner. Following the maximum 6 month period of full salary protection, the element of pay relating to the protection will be 50% of the difference for a further 6 months at the end of which, the redeployee's pay will have been reduced to the highest point on the pay range appropriate for the grade, if applicable.
- 6.12 There will be no entitlement to a statutory redundancy payment where:-
- An employee unreasonably refuses an offer of suitable alternative employment
 - During a trial period, the employee unreasonably terminates or gives notice to terminate his or her contract of employment (and in the latter circumstances the contract is then terminated)
 - The employee is redeployed into another role

7.0 Voluntary Redundancy

- 7.1 In some circumstances voluntary redundancy will be considered an option for employees. In these cases employees in a particular department or team will be invited to apply for voluntary redundancy. The school/trust is not obliged to accept volunteers but will consider any such requests prior to making compulsory redundancies.
- 7.2 Any employee seeking voluntary redundancy will be invited to a meeting to discuss the matter. The employee should take all reasonable steps to attend. The employee may be accompanied by a work colleague or trade union representative. Consultation will normally be undertaken by the headteacher, in conjunction with the relevant line manager.
- 7.3 The right to decide whether an employee will be granted voluntary redundancy will be made by the Senior Leadership Team. This decision will be final and there will be no right of review.

7.4 Staff whose application for voluntary redundancy is accepted, will be paid a redundancy sum as compensation for loss of office at the termination date, together with any pay in lieu of notice (if applicable). Redundancy payments are tax and NI free up to £30000. PILON payments are subject to normal tax and NI deductions.

8.0 Selection for Redundancy

8.1 In a redundancy situation, the relevant recognised trade unions will be consulted about the selection criteria. The selection criteria will normally include: specific skills or competencies, qualifications and experience in relation to the needs of the curriculum area/department but will be determined as appropriate to the particular circumstances on each occasion.

8.2 Employees in the selection pool will have the opportunity to attend a meeting to discuss the selection for redundancy process and to make any representations they consider relevant. The headteacher and the school's HR Adviser (if required) will attend such meetings.

8.3 When a consultation exercise has been concluded, the selection panel which usually will comprise of the headteacher and SLT, will meet to apply the selection criteria. They will then write to any individuals selected for redundancy. The letter will confirm the reason for the redundancy, outline the consultation that has taken place and confirm that the school/trust has and will continue to seek suitable alternative employment up until the last day of service. This letter will also set out brief details of the statutory redundancy payments which the employee will receive on termination and will inform the employee of his or her right to appeal and how to do this.

9.0 Compulsory Redundancy

9.1 Employees who are under notice of redundancy have such entitlement to reasonable paid time off to seek alternative employment including attending interviews or additional training.

9.2 Employees will normally be required to use accrued but untaken holiday entitlement during the notice period.

9.3 Employees who are to be dismissed by reason of redundancy will receive written notice of:

- The reason for the redundancy and where relevant, the criteria on which selection has been made
- The effective date of redundancy
- The periods of notice to which the employee is entitled – periods of notice will be in accordance with the contractual entitlement or statutory provision; whichever is the more favourable
- Details of the way the redundancy payment has been calculated
- Pension information if applicable
- The opportunity to appeal against the decision

10.0 Appeal

10.1 A redundancy appeal is likely to be made on the basis that:-

- The selection for redundancy was unfair
- That the consultation process was inadequate
- The proper operation of the procedures was inadequate

10.2 If an employee wishes to appeal against the decision to dismiss by reason of redundancy, the appeal must be made in writing to the clerk of governors/CEO without unreasonable delay and within 10 working days of the date on which the employee was notified of the decision to declare his or her post redundant.

10.3 An appeal against dismissal will be heard by a governor, supported by the school's HR Adviser within 10 working days of receipt of the letter, unless there is unavoidable reason for delay.

10.4 At the hearing the employee will have the right to be accompanied by a representative of a trade union or a work colleague. Until the outcome of the appeal has been decided the dismissal will remain in force. Where an appeal is

against a dismissal decision, that decision will have immediate effect so that, if the dismissal is by notice, the period of notice will have begun at the date given in the decision. Any appeal will normally be held prior to the expiry of the notice period. However, in exceptional circumstances, if the notice period has expired there will be no liability to pay the member of staff for the period between that decision and the hearing of his or her appeal. If however the appeal is successful, the contract of employment will be re-instated and pay and service will be backdated to the date of the dismissal.

- 10.5 The decision of the hearing will be communicated to the employee in writing without unreasonable delay, normally within 10 working days. Communication to the employee will be made both electronically and by letter which will be sent recorded delivery.

11.0 Counselling and Support

- 11.1 Any employee at risk of redundancy will be advised of a free and confidential service where they can access information, advice and support.
- 11.2 The school's HR Adviser will be available to support staff with dealing with change and uncertainty, searching and applying for jobs, and preparing for interviews if requested.
- 11.3 **Citizens Advice New Forest** are able to offer advice and support regarding redundancy pay, benefits, debt management, training and careers. They have an online chat service and offer telephone support. Their website is www.newforestcab.org.uk/contact-us/new-milton
- 11.4 The **Money Advice Service** has free online advice regarding redundancy, money management, career changes and financial support that may be available. Their website is www.moneyadviceservice.org.uk
- 11.5 Further advice on career and learning opportunities can be obtained from the **National Careers Service** website at <https://nationalcareersservice.direct.gov.uk>
- 11.6 The **Education Support Partnership** is a support service that is available to all teaching staff. More information can be found on its website at: www.educationsupportpartnership.org.uk

12.0 Termination prior to expiry of written notice of termination

- 12.1 If under notice of redundancy the employee concerned obtains other employment before the expiry of the written notice the school/trust will, on request, make every effort to grant an early release taking fully into account the school/trusts operational needs. This means that the school/trust cannot guarantee to allow an early release when under notice of redundancy. Depending on the employer the redundancy payment may not then be made if continuous service can be protected with the new employer.

13.0 Redundancy Payment

- 13.1 Redundancy payments will be calculated in accordance with the requirements of the Act. Employees with 2 years continuous service or more ending with the relevant date (which might in some circumstances include staff with Fixed Term Contracts who have worked continuously for 2 years or more) will be eligible for a redundancy payment.
- 13.2 Any continuous service with previous employers listed in the Redundancy Modification Order will be recognised for the purpose of calculating the redundancy payment.
- 13.3 Redundancy payments will be based on the employee's actual weekly pay but will be subject to a maximum of 20 years continuous service for calculation purposes.
- 13.4 Employees who are selected for redundancy and who are aged 55 years of age or over will be entitled to access their pension, if applicable.
- 13.5 All employees who are identified as being at risk of redundancy, can request an estimate of the payments they would receive. A full calculation breakdown will be provided, based on the agreed termination date.

14.0 Revision or Termination of this Policy and Procedure

- 14.1 This policy and procedure is not contractual and its operation will be periodically reviewed. Any amendment to it, after consultation with the recognised trade unions and approval by the board of directors, will be advised to staff who will also be informed of the date when the amendment will come into effect.

PAY AND SALARY POLICY

1.0 Objectives

- 1.1 The pay and salary policy of The Gryphon Trust is intended to assist the school in meeting its objectives, stated in its School Improvement Plans, wherever possible; career progression and staff development will also be considered. It is intended to take a positive attitude to the recruitment, retention, motivation, well-being and development of staff to ensure that there is a rationale for pay and salary decisions which is based on a set of principles that is clearly understood by all concerned.
- 1.2 The Board of Directors will seek to ensure that staff are rewarded equitably for the level of responsibility they carry and the individual contributions they make to the work of the school, subject only to the constraints of statutory documents, necessarily adjusted structures and the school's budgetary provision. The aim of this pay and salary policy is to enable schools to recruit and retain sufficient staff of suitable quality and number and thereby secure its school improvement objectives.
- 1.3 This policy operates in conjunction with the school's policy on Performance Management (see separate document).
- 1.4 Although the Trust is able, as a Multi-Academy Trust, to set its own salaries and conditions of service, all teachers are paid with regard to the provisions of the School Teachers Pay and Conditions Document and guidance on school teachers' pay and conditions. Support staff in the schools are currently paid in accordance with the EHCC Agreement on Pay and Conditions of Service. (The Trust has also due regard to Hampshire County Council's pay and grading framework for support staff.)
- 1.5 Inflationary increases and changes to the established pay scales shall be subject to the approval of the Board of Directors who may take account of national negotiations, government funding and budgetary constraints.

2.0 Mechanisms for implementing and reviewing the policy

- 2.1 The Finance Audit and Compliance Committee appointed by the Board of Directors will monitor and report on pay and salary decisions against budgets approved by the Board. The Pay and Performance Committee appointed by the Board of Directors assists the Board in fulfilling its responsibility to ensure that the remuneration policies, practices and procedures reward fairly and responsibly, with a clear link to corporate and individual performance, whilst having due regard to statutory and regulatory requirements.
- 2.2 The Chief Executive Officer's pay scale shall be set by the Board's Pay and Performance Committee. Progression within that pay scale shall be subject to the Chief Executive Officer's performance review conducted in accordance with the Trust's Staff Development Policy.
- 2.3 The Headteacher's pay scales shall be set by the Board's Pay and Performance Committee. Progression within that pay scale shall be subject to the Headteacher's performance review conducted in accordance with the Trust's Staff Development Policy.
- 2.4 The Board's Pay and Performance Committee shall have delegated responsibility for overseeing the implementation of this policy in a fair and equitable manner and in accordance with its Terms of Reference.

3.0 Pay Reviews and the Pay Committee

- 3.1 Salary reviews for all staff shall be carried out annually as set out in this paragraph except as otherwise provided in this policy. The Body's Pay and Performance Committee shall review the salary of the Chief Executive Officer by no later than 31 December. The Local Governing Body shall review the salary of the Headteacher by no later than 31 December. The Local Governing Body shall ensure that the salaries of all other staff are reviewed by no later than 31 October. Each member of staff will be provided with a formal statement saying what their salary is, how it has been arrived at and showing any other financial benefits to which, they are entitled. Reviews will take place at other times of the year to reflect any changes in circumstances or job description that affect the structure of the member of staff's pay.

- 3.2 Where a pay determination leads or may lead to the start of a period of safeguarding or salary protection, the Local Governing Body will give the required notification as soon as possible, and no later than one month after the date of determination.
- 3.3 Where it proposed following a performance review that the Chief Executive's salary shall either no progress or shall progress by more than two points within their existing pay range or that their pay range be extended, the recommendation shall be submitted to the Board of Director's for their decision. Where it proposed following a performance review that a Headteacher's salary shall either not progress or shall progress by more than two points with their existing pay range or that their pay range be extended, the recommendation shall be submitted to the Board of Director's for their decision. Where it proposed following a performance review that a member of staff's salary shall either not progress or shall progress by more than two points within their existing pay range or that their pay range be extended, the recommendation shall be submitted to the Local Governing Body for their decision.
- 3.4 The statutory regulations for teachers prevent the Headteacher in intervening in the pay recommendations arising out of the review process where that process is fully devolved to a line manager, but the Headteacher does have the right to present a view on any pay inconsistencies that may arise from such recommendations. In the case of support staff assessments and performance ratings, the Headteacher has the right to comment on these and make governors aware of any inconsistencies and the financial implications of those assessments.

4.0 Qualified Teachers

4.1 The salaries of teaching staff will be assessed:

- Annually to take effect from 1st September;
- Upon appointment to the school;
- At any other time where necessary with due regard to the current School Teachers' Pay & Conditions Document

4.2 This assessment will be determined with due regard to the current School Teachers' Pay and Conditions Document. In order to determine the position on the pay spine the following criteria will be used:

4.2.1 Qualifications

4.2.1.1 Qualified teachers will commence on at least M1 of the pay scale for qualified teachers with second class honours (Hons 2.2) or better.

4.2.2 Experience

4.2.2.1 One point will be awarded for each year of satisfactory teaching service as a qualified teacher in the maintained sector, academy, city technology school or independent school, or in a school in the maintained sector of another country within the European Economic Area, taking into account national professional standards.

4.2.2.3 The Local Governing Body accepts the discretion for awarding two points for experience in any year where a teacher is deemed to be making an outstanding contribution to the work of the school.

4.2.2.4 The Local Governing Body will consider other relevant experience and may award an additional point up to M2 for newly qualified teachers.

4.2.2.5 Whether non or directly relevant, only full or part-time experience for continuous periods of more than one year will normally be considered.

4.3 In general terms Local Governors will regard the following three categories as being directly relevant.

- Working, at postgraduate level, directly with children;
- Working, at postgraduate level, predominantly with a main teaching subject;
- Working as a teacher/trainer (other than in schools) as a major part of previous employment.

4.4 Irrespective of the above no new entrant to the profession will commence at a point higher than M2 on the main scale (see below).

5.0 General Comment

5.1 Experience in the FE, HE, 6th form sectors, teaching experience outside of the EEA, and experience outside teaching in a relevant area, will be recognised: 1 point for each 2 years of teaching outside of EEA, 1 point for each 5 years of experience outside of teaching but in relevant area (either subject area or working with children).

5.2 Points for experience will be awarded on a permanent basis.

5.3 The Local Governing Body may decide not to award an experience point when a teacher has performed unsatisfactorily. This will only take place in the context of an annual performance review, or a formal disciplinary or capability procedure and must follow prior written notification to the teacher concerned that their experience point is being withheld due to their unsatisfactory performance or conduct.

6.0 Upper Pay Scale

6.1 Where a teacher reaches the top of the Teachers Main Scale he/she can apply to be placed on the Upper Pay range. It is the responsibility of the teacher to decide whether or not they wish to apply to be paid on the Upper Pay range.

6.2 Further progression on the upper pay scale will be subject to the teacher demonstrating substantial and sustained performance and significant contribution to school policies and ethos and following two successful performance management reviews as part of the school's Performance Management Policy, as well as meeting both the appropriate national professional Teacher Standards – core and post threshold.

6.3 Determination on progression on the upper pay scale will be made by governors in the light of the annual performance review as part of the performance management policy and any recommendation of the Headteacher.

6.4 Only in exceptional circumstances will progression on the upper pay scale occur at intervals of less than two years.

6.5 Further guidance can be found in the school teachers pay and conditions document.

7.0 Newly Qualified Teachers (NQTs)

7.1 Pay decisions are decided by the statutory induction process

8.0 Additional Allowances

8.1 Teachers on the main pay scale or upper pay scale may be awarded Teaching and Learning Responsibility payments (TLRs) as follows: -

8.2 TLRs may be awarded to a classroom teacher for undertaking a sustained additional responsibility in the context of the school's staffing structure, for the purpose of ensuring the continued delivery of high-quality teaching and learning for which that teacher is made accountable.

8.2.1 Before awarding a TLR, the Local Governing Body must be satisfied that the teacher's duties include a significant responsibility that is not required of all classroom teachers. The responsibility must:

- Be focused on teaching and learning;
- Require the exercise of a teacher's professional skills and judgement;
- Require the teacher to lead, manage and develop a subject or curriculum area, or to lead and manage student development across the curriculum;
- Have an impact on the educational progress of students other than the teacher's assigned classes or groups of students;
- Involve leading, developing and enhancing the teaching practice of other staff.

- 8.2.2 For a teacher to qualify for a TLR payment, all the above criteria must be met.
- 8.2.3 There are three bands of TLR allowances available – TLR 1, TLR2 and TLR 3 (temporary). Staff on TLR 1 will lead teams of at least 9 members of staff, not including support staff or have appropriate senior leadership responsibilities.
- 8.2.4 **The Local Governing Body** will determine the number of TLR posts. The present allocations are to be found in the Staff Handbook and they will be reviewed periodically in the light of the changing needs of the School. Should the TLR structure require change, the proposed structure would be subject to consultation with staff and staff representatives. Safeguarding would be available, for a maximum of two years, to staff whose roles no longer attract a TLR or whose role attract a TLR of a lesser value in the revised structure.
- 8.2.5 TLR payments may be awarded to teachers who undertake significant specified responsibilities additional to their normal duties to improve Teaching and Learning.
- 8.2.6 Where the Local Governing Body award TLRs, staff will be required to undertake work at that level in accordance with a clearly defined job description.
- 8.2.7 Payments awarded on a temporary basis – TLR 3 - will be for a specified responsibility over a given period of time, e.g. to cover for absence, maternity leave, and for a defined responsibility. .

8.3 Recruitment and Retention

- 8.3.1 An allowance may be awarded at the discretion of the governing body in order to attract and retain suitable teaching staff. This allowance is subject to review after two years.
- 8.3.2 The allowance can also be used to retain scarce skills or in response to particular recruitment difficulties.
- 8.3.3 Where such discretion is exercised, it will be made clear, in writing, to teachers in receipt of such an allowance, that if they leave the school before a specified date (normally the end of the academic year), the allowance will not be paid for that year. A determination to reduce or withdraw the allowance does not attract salary safeguarding.

8.4 Special Needs Allowances

- 8.4.1 These are identical to other TLR payments but subject to review.
- 8.4.2 **NB There is no automatic entitlement for teachers to retain any of the above allowances where they move to another school.**

9.0 Unqualified Teachers

- 9.1 In certain specific circumstances unqualified teachers may be paid on either the qualified teacher scale (in which case the provisions of paragraph 4.0 will apply) or on the unqualified scale in which case the provisions of this paragraph will apply.
- 9.2 The salaries of unqualified teachers will be assessed upon appointment and may be reviewed at the discretion of the Local Governing Body.
- 9.3 Points may be awarded in respect of relevant qualifications and/or experience. The assessment will normally be carried out as described in 6.3.
- 9.4 Where a teacher is appointed below the maximum point of the unqualified teacher scale, one increment will be awarded on an annual basis (with effect from 1st September) for every completed year of service and successful performance reviews until the maximum of the scale is reached.

9.5 Notwithstanding this, the Local Governing Body may award additional increments as it considers appropriate up to the maximum of the scale 1-6. The governing Body may also exercise discretion in relation to any unqualified teaching allowance.

10.0 Leadership Team

10.1 Members of the leadership team, are paid on the leadership pay spine. Salaries of members of the leadership team will be assessed:

- Annually to take effect from 1st September;
- Upon appointment to the school;

10.2 At any other time as provided for by appropriate circumstances.

11.0 Headteacher

11.1 The Board's Pay and Performance Committee will determine the Headteacher's Leadership Pay Range separately within each school and comprising at seven consecutive points on the leadership spine.

11.1 The Committee shall take into consideration but not be bound by the DfE's School teachers' pay and conditions document and guidance on school teachers' pay and conditions, as well as other factors including local circumstances, demands of the market etc.

11.2 Commencing salary will be determined with due regard to the current Teachers' Pay and Conditions Document. Future progression within the ISR will be based on a review of the performance of the Headteacher against the pre-determined performance objectives and will usually be one point at each pay determination (see 12.3 above) or 2 points where exceptional performance is judged to be achieved

12.0 Deputy Headteachers

12.1 The Governing Body will select a Deputy Headteacher pay range, for each Deputy Headteacher, consisting of five consecutive points on the leadership pay spine as set out in the School Teachers' Pay and Conditions Document.

12.2 When determining each Deputy Headteacher's pay range the Governing Body will base this on the circumstances and responsibilities of the post and will take account of any difficulties there may be in recruiting a Deputy Headteacher. They will review these ranges periodically to reflect any increase in job responsibilities.

12.3 In determining, or reviewing, the ranges above, the Governors will have regard to the regulations outlined in the School Teachers' Pay and Conditions Document, including pay differentials.

12.4 Commencing salary will be determined with regard to the provisions of the School Teachers' Pay and Conditions Document. Future progression within the pay range will be based on a review of the performance of the Deputy Headteachers against the pre-determined performance objectives and will usually be limited to one point at each pay determination .

12.5 Deputy Headteachers must demonstrate as part of a review sustained high quality of performance and make a strong contribution to school leadership, management and student progress, and substantial progress towards achievement of performance management objectives before any performance points will be awarded.

12.6 The Governing Body will consider movement by more than one point where the Deputy Headteacher has in the year under review made an outstanding contribution to the school, if their current range allows this.

13.0 Assistant Headteachers

13.1 The Governing Body will select an Assistant Headteacher pay range for each Assistant Headteacher, consisting of five consecutive points on the leadership pay spine set out in the School Teachers' Pay and Conditions Document.

- 13.2 When determining each Assistant Headteacher's pay range the Governing Body will base this on the circumstances and responsibilities of the post and will take account of any difficulties there may be in recruiting an Assistant Headteacher. They will review these ranges periodically to reflect any increase in job responsibilities.
- 13.3 In determining, or reviewing, the ranges above, the Governors will have regard to the regulations outlined in the School Teachers' Pay and Conditions Document, including pay differentials.
- 13.4 The Governing Body, through the Headteacher and appropriate line manager, will seek to agree performance objectives annually with the Assistant Headteachers relating to school leadership and management and student progress and in default of agreement the Headteacher will set such performance objectives.
- 13.5 Commencing salary will be determined with regard to the provisions of the School Teachers' Pay and Conditional Document. Future progression within the pay range will be based on a review of the performance of the Assistant Headteachers against the pre-determined performance objectives and will usually be limited to one point at each pay determination .
- 13.6 Assistant Headteachers must demonstrate as part of a review sustained high quality of performance and make a strong contribution to school leadership, management and student progress, and substantial progress towards achievement of performance management objectives before any performance points will be awarded.
- 13.7 The Governing Body will consider movement by more than one point where the Assistant Headteacher has in the year under review made an outstanding contribution to the school, if their current range allows this.

14.0 A.0 Chief Executive Officer

- 14.1 A.1 The Board's Pay and Performance Committee will determine the Chief Executive's Pay Range comprising at seven consecutive points. The pay range will reflect the leadership spine and any extension thereto agreed by the Board of Directors.
- 14.2 A.2 The Committee shall take into consideration factors including local circumstances, demands of the market, etc.

15.0 Additional Payments to Teachers

- 15.1 The Board of Directors has chosen not to exercise its discretion to award additional payments to eligible staff for in-service training undertaken at weekends or during school holidays though they may keep this decision under review.
- 15.2 The Board of Directors has chosen not to exercise its discretion to award additional payments for out of school hours learning activities though they may keep this decision under review.
- 15.3 The Board of Directors has chosen not to exercise its discretion to award additional payments for Initial Teacher Training, though they will keep this decision under review.
- 15.4 Where a teacher is assigned and carries out the duties of a Headteacher, Deputy Headteacher, or Assistant Headteacher, or other senior position (including support staff positions) but has not been appointed in an acting capacity the Governing Body shall, within four weeks, determine whether or not an allowance should be paid with due regard to the provisions of the School Teachers' Pay and Conditions Document and support staff pay and grading framework.
- 15.5 The Board of Directors may, as an incentive for the recruitment of new teachers in hard to fill posts, offer the benefits of a relocation package to assist staff moving into the area with the costs of purchasing and/or selling property. (see separate details)

16.0 Support Staff

- 16.1 The Board of Directors will ensure that the salaries for support staff are determined with due regard with nationally or locally agreed conditions of service.

16.2 The salaries of all support staff will be assessed:

- Annually to take effect from 1st September following a performance review (see separate Performance Management Policy)
- Upon appointment to the school.
- At any other time deemed appropriate by the Governing Body.

16.3 Changes to the salaries of individual support staff will be determined, in the first instance, by the Governing Body.

16.4 Support staff will normally be appointed on the first point of the normal salary range as a transitional step for the appropriate grade. Where the responsibilities of a post suggest that re-grading might be necessary, the Governing Body will review whether the post should be matched to a more appropriate role profile, or if no appropriate role profile is available will consider whether a role profile needs to be developed and evaluated.

16.5 This assessment will be determined by the following criteria:

- Responsibilities of the post and role profile;
- Performance of the post-holder in accordance with previously agreed objectives;
- In accordance with any career progression scheme for support staff adopted by the school.

16.6 Additional payments:

- Unsocial Hours to cover lettings, unscheduled call outs and foreseen arrangements.

17.0 Salary Protection/Safeguarding

17.1 The Governing Body will ensure appropriate salary protection/safeguarding with due regard to the current School Teachers Pay and Conditions Document and appropriate documentation relating to support staff .

18.0 Pay Differential

18.1 Salaries assessed in accordance with this policy will take into account different levels of responsibilities and other material differences between posts and post-holders. It should not, however, encourage or support any anomalies.

18.2 Where there is specific difficulty in recruiting and/or retaining a certain category of support staff, the Governing Body will consider the use of additional salary, subject to appropriate criteria being met.

19.0 Staffing Budget

19.1 The amount of money allocated to implementing the school's salary and pay policy will be determined at the beginning of each financial year through the budget allocation process of the school.

20.0 Pensions

20.1 The Governing Body will not promote staff through the grading systems or use other pay flexibilities to assist in securing an employee's improved pension entitlement on retirement.

21.0 Access to Professional Development

21.1 The Board of Directors believes that access to professional development opportunities (for example promotion, additional responsibilities) should be available to all staff, whether full or part-time and will advertise their availability within the school, unless exceptional circumstances apply.

22.0 Equal Pay

22.1 The Board of Directors recognises the principle of equal pay for work of equal value and for like work in the implementation of this policy. The Board of Directors may consider the salaries payable in other schools and/or Local Authority in setting pay levels, where this information is available and relevant. (See also Appendix 2 for school meals)

23.0 Consultation Arrangements

23.1 In establishing and in subsequently reviewing the school's pay and salary policy, the Board of Directors will consider the views of any Professional Association and Trade Union Representatives in the schools and school staff prior to determining the approved policy. A copy of the Pay and Salary policy will be made available to all staff on request.

24.0 Communication Arrangements

24.1 The Board of Directors is committed to ensuring that all staff are aware of the school's Pay and Salary policy - a copy will be placed in the Staffroom - and that the reasons for pay-related decisions are understood. The application of the school's Pay and Salary policy will be undertaken in as open a way as possible. However, the salary details of individual members of staff shall remain confidential between themselves and the Headteacher/Audit & Finance Committee/Governing Body/accredited external parties. The Headteacher (or in the case of his/her pay, the Chair of Directors) is responsible for informing staff of any decisions of the pay committees.

25.0 Initial Determination of Pay

25.1 The Board of Directors will have overall responsibility for all pay matters. The Governing Body and the Headteacher Review Group will all have fully delegated powers to make decisions within the Pay and Salary policy approved by the Board of Directors.

26.0 Appeals Procedure

26.1 The arrangements for considering appeals are as follows:

- A member of staff may appeal against any determination in relation to his or her pay or any other decision taken by the Governing Body that affects his/her pay. The process for dealing with appeals arising from performance management decisions is similar and is outlined in more detail in the guidance and policy on performance management.

26.2 The grounds for appeal are that the person or committee by whom the decision was made:

- incorrectly applied any provision of the relevant terms and conditions of service;
- failed to have proper regard to statutory guidance;
- failed to take proper account of relevant evidence;
- took account of irrelevant or inaccurate evidence;
- was biased; or
- otherwise unlawfully discriminated against the member of staff

26.3 An appeal may also be lodged in relation to aspects of the performance management process. For more detail, see the guidance and policy in the Performance Management Policy.

26.4 The sequence of events is as follows:

- The member of staff receives written confirmation of the pay determination and where applicable the basis on which the decision was made.
- The member of staff may seek advice from the school's HR Adviser.
- If the member of staff is not satisfied, he/she should seek to resolve this by discussing the matter informally with the decision maker within ten working days of the decision.

- Where this is not possible, or where the member of staff continues to be dissatisfied, he/she may follow a formal appeal process.
- The member of staff should set down in writing the grounds for questioning the pay decision (which must relate to the grounds as set out above) and send it to the person (or committee) who made the determination, within ten working days of the notification of the decision being appealed against or of the outcome of the discussion referred to above.
- The committee or person who made the decision should meet with the member of staff (and, if the member of staff wishes this, an employee or union representative) within ten working days of receipt of the written grounds for questioning the pay decision to discuss this and give the member of staff an opportunity to make representations in person. Following this meeting the member of staff should be informed in writing of the formal outcome and the right to appeal.
- Any appeal should be heard by a panel of three governors who were not involved in the original decision, normally within 20 working days of the receipt of the written appeal notification, and give the member of staff the opportunity to be accompanied and made representations in person. The decision of the appeal panel will be given in writing, and where the appeal is rejected will include a note of the evidence considered and the reasons for the decision. The decision is final and there is no recourse to the staff grievance procedure.

27.0 Withholding Payment of Salary

- 27.1 Only in exceptional circumstances would a member of staff not be paid in full the salary to which he/she is entitled. Each case would be reviewed in its individual context by the Headteacher, but may include:
- Absence from work without permission (not including sickness or other reasonable due cause)
 - Fraudulent claims by an employee (see also disciplinary procedures)
 - Breach of contractual obligations, most obviously leaving employment without due notice and as contractually stated.
- 27.2 In each case, the individual would be notified in writing, of the impact of such conduct on their salary.

APPENDIX 1

SUPPORT STAFF ANNUAL LEAVE ENTITLEMENT

Staff working 52 weeks per year (excluding Bank Holidays):

Grade	Entry	5 years
A-D	4.8weeks	5.4weeks
E-G	5weeks	5.6weeks

Pro-rata annual leave in the first and final years of employment will be rounded down to the nearest day or half day.

Staff working 39 working weeks (including pro rata Bank Holiday entitlement):

Grade	Entry	5 years
A-D	5.48weeks	6.07weeks
E-G	5.67weeks	6.27weeks

Public Holidays

In addition to annual leave, full-time staff (52 weeks) are entitled to each public holiday occurring during their employment.

For part-time staff working 52 weeks, public holiday entitlement is expressed as a pro-rata amount in hours per year. To calculate:

Divide the number of days worked per week by 5

Multiply the figure found above by the number of public holidays falling in the annual leave year (normally 8) • This gives the number of public holiday hours for the annual leave year.

i.e. Two days per week ; $\frac{2}{5} \times 8 = 3\frac{1}{5}$ days.

For term-time only staff, the above includes pro-rata holiday entitlement.

For support staff with term time only contracts covering 195 working days (39 weeks):

The school is open for 190 days when students are present. In addition there are 5 in-service (professional learning) days each year which must be worked by support staff and are noted in the school calendar.

It should also be noted that term time only staff, working most or all of the school day, must take a 30 minute unpaid lunch break.

You are also reminded that for full-time staff (term time only or 52 week contracts) the working week currently comprises 37 hours. The normal pattern is:

0830-1630 on Monday to Thursday with a 30-minute unpaid lunch break 0830-1600 on Friday with a 30-minute unpaid lunch break

This pattern can be varied in negotiation with line managers and if the operational needs of the school permit.

The annual **leave entitlement for 52 week staff** runs from 1st September – 31st August annually. Leave not taken for operational reasons will be lost unless carry forward is agreed by the line manager in exceptional circumstances. Up to 5 days may be carried forwards but those must be taken by the Autumn half-term.

APPENDIX 2

THE TAKING OF SCHOOL LUNCHES AND REFRESHMENTS

At break time all staff can avail themselves of free tea/coffee. Free refreshments will be available for after school training sessions that involve whole school issues.

At lunch time, however, the Board of Directors, with due regard to the Equal Pay Act and guidelines related to wellbeing of staff and students has decided:

No staff should have 'free' lunches as a matter of course, including staff working in the dining and catering area

Staff who undertake supervised duties for which they are paid will have a market supplement for each lunchtime duty only. This can be used as payment for a duty meal as required.

The Headteacher and Deputy Headteachers may take a designated lunch at the following times:

- When inviting visitors/guests to lunch
- When interviewing over the lunch period
- When it is deemed appropriate for extra supervision at lunch time for the wellbeing of staff and children (for example, in extreme weather or significant staffing absence)

Assistant Headteachers and Middle Leaders may take a designated lunch at the following times:

- When interviewing over the lunch period
- At the discretion of the headteacher, meals or refreshments may be provided for staff working extended hours, for example, open evenings where it is unreasonable for staff to go home and return in time.

PERFORMANCE CONCERNS POLICY

1.0 Scope

1.1 This policy applies to all employees of The Gryphon Trust.

2.0 Responsibilities

2.1 The Board of Directors (through its committees, including its Local Governing Bodies), Chief Executive Officer, Headteacher and Senior Leadership Team (SLT) of each school within the Trust will monitor the operation and effectiveness of this policy.

3.0 Related Policies and Procedures

3.1 This policy supersedes the previous Performance Management Policy. This policy builds on existing policies of The Gryphon Trust, particularly the policies for:

- Pay and Salary
- Equality
- Probation
- Staff Development

4.0 Overview

4.1 The school's general approach is that the majority of employees are at least competent in their role for the majority of the time. Where an individual's performance is deemed to be below accepted standards, additional support to that described above will be provided to help them re-attain and sustain the required level of performance.

4.2 Concerns about performance will be addressed at the time they are identified and not left to the employee's next review meeting. This will assist the employee to recognise issues at an early stage.

4.3 Performance concerns may be identified by the appraiser or by a Senior Manager/Headteacher. Where a concern is identified that is likely to require structured managerial support, the Headteacher may re-delegate the appraiser role to a senior manager or, in extremis, undertake the role themselves. Appraisers must notify the Headteacher where they identify performance concerns.

4.4 Concerns about the performance of a Headteacher may be identified by an individual or combination of sources. The concern must be notified to the Chairman of Governors, who will bring this to the attention of the Board of Trustees. The Chair of the Committee will review the evidence available to determine how to proceed.

4.5 Where it is necessary to take forward a performance concern in respect of the Headteacher, this will be undertaken by the appropriate Committee, with professional advice where appropriate.

4.6 When raising performance concerns with an individual, the Headteacher/Senior Manager/ Headteacher Performance Management Committee (HPMC) will take into account any factors which may be having an impact on the employee's ability to perform their duties. However, such factors in themselves do not negate the need to address performance concerns.

4.7 Whilst there are no formal rights of representation at this stage, employees are encouraged to contact their Professional Association or Trade Union Representative for advice and support.

5.0 Identifying when performance is deemed to be below accepted standards

5.1 The Headteacher/Senior Manager/HPRC may consider an employee to be underperforming where:

- the standard of performance falls below that which is required to meet or make progress towards their mastery goal; and/or
- the standard of performance falls below that which is required to meet the expectations of a particular role in their school; and/or
- the performance falls below the relevant standards/accountabilities for the role; and/or
- the overall school performance falls below that which is required (in the case of the Headteacher).

5.2 Post-Threshold, Senior and Middle Leaders, and TLR holders are expected to meet the professional duties and standards relevant to their role as well as the core standards - and for many, post threshold standards - that apply to all teachers. See Appendices. If the Headteacher/Senior Manager has evidence to show that an employee is no longer meeting the expectations of their role, these concerns will be addressed with the individual promptly.

5.3 Where the school has clearly communicated a level of expectation, the Headteacher and Senior Leadership Team may consider a member of staff to be underperforming if they are not reaching this level of expectation.

6.0 Determining possible initial courses of action

6.1 Depending on the severity of the under-performance, the Headteacher/Senior Manager/HPMC need to take a view as to the proportionate response. This may include an early conversation to identify and agree the expected standards of the role, coaching/mentoring support require, structured managerial support if necessary, consideration of application of the Capability Procedure in exceptional circumstances or where significant concerns are identified.

6.2 An early conversation and coaching/mentoring support will only be used on their own to support low level or early stage concerns where these may be an effective measure and will be documented as an Individual Support Plan (see Staff Development Policy) and implemented as described above. Where the performance concern is more significant or continues, structured managerial support will normally be put in place.

7.0 Structured managerial support

7.1 Where a performance concern has been identified that requires additional support, a discussion will be held between the Headteacher/Senior Manager/HPMC and the employee. The outcome of the meeting will be to identify what steps will be taken to assist the employee to improve their performance and move to the required standard. (In cases involving the Headteacher, the HPMC will normally invite the school's School Improvement Provider to provide support at this meeting.) The discussion will include:

- what area(s) of performance is/are of concern;
- what improvement is required/the standard the employee needs to meet;
- the timescales in which this is to be achieved (these will vary depending on the issues identified);
- the support that will be provided to assist the employee;
- how frequently the performance/progress will be monitored and reviewed;
- the seriousness of the issue and potential consequences of improvement not being achieved.

7.2 The employee will be invited to provide his/her point of view on the shortfall in performance and whether they believe there is an underlying reason. The employee will also be asked to identify what support they feel they need in order to achieve the required improvement, and the Headteacher/Senior Manager/HPMC will indicate what support they intend to put in place.

7.3 The key outcomes of the discussion will be recorded in writing and shared with the individual. The written record of the discussion will be placed on the individual's personal file and a copy given to the employee.

7.4 Review meetings will be held at the agreed timescales to review progress towards targets set and the appropriateness of the support being given. At these meetings, any improvements will be communicated to the individual as well as the remaining gap between their current level of performance and the expectations set. The outcome of these meetings will also be recorded in writing and a copy shared with the individual.

- 7.5 The purpose of any structured managerial support programme is to assist the employee to achieve the necessary improvement within the agreed timescales. Where this is successful the Headteacher/Senior Manager/HPMC will confirm this at the relevant review meeting and record this in writing to the employee. The employee will be informed that the improvement in their performance must be sustained.
- 7.6 If the employee is not making the necessary progress towards the required improvement, the employee will be informed that failure to achieve this may lead to the Capability Procedure being applied. The Headteacher/Senior Manager/HPMC will make a judgement about when to communicate this given that it may not be appropriate to do so during the first discussion. However, if a move to the Capability Procedure is a likely outcome, the potential for this must be communicated to the member of staff in good time.
- 7.7 Where the employee has initially made the required improvement but this performance has not been sustained independently over a maximum of a six-month period, the Headteacher/Senior Manager/HPMC will need to consider use of the Capability Procedure.

8.0 By-passing structured managerial support

- 8.1 In most circumstances a structured managerial support programme will be put in place prior to the Capability Procedure being used. However, the Headteacher/Senior Manager/HPMC may determine that it is appropriate to move straight to the Capability Procedure, in the following circumstances:
- the employee's performance is putting the health and safety of students and/or staff at risk;
 - the employee's performance is putting the education of students in serious jeopardy;
 - the employee's performance has not been sustained independently for up to six months at an accepted level following an earlier managerial support programme.
- 8.2 Transition to the Capability Procedure
- 8.2.1 At any stage the Headteacher/Senior Manager/HPMC may consider a transition to the Capability Procedure. The Headteacher/Senior Manager/HPMC will have specific regard to:
- the nature and severity of the under-performance;
 - the impact on students and employees both in the short and longer term;
 - the likely and required timescale for improvements to be made;
 - the engagement of the employee in the programme.
- 8.3 In a typical case, if a managerial support programme has been in place and the issues have not resolved after 4 weeks/at the most half a term then it would be appropriate to consider moving onto the Capability Procedure.
- 8.4 However, when determining how long to wait before moving onto the Capability Procedure, the Headteacher/Senior Manager/HPMC will consider the circumstances of the case. In such circumstances where the Headteacher/Senior Manager/HPMC determine a need to consider the application of the Capability Procedure, the employee will be invited to attend a meeting at which such a consideration will be undertaken. The individual will be given the opportunity to be accompanied at the meeting by a Professional Association/Trade Union Representative or work employee and be provided with a copy of the Capability Procedure in advance.
- 8.5 At this meeting, depending on the level of concern, the responses of the employee, the progress so far, and whether the Headteacher/Senior Manager/HPMC feels improvement is likely to be seen in the necessary time frame, the Headteacher/Senior Manager/HPMC will decide either to continue to offer a further period of managerial support or to confirm that the employee will now be moved onto the Capability Procedure.
- 8.6 Should the Capability Procedure commence, performance management will be suspended

PROBATION AND PROCEDURE POLICY

1.0 Introduction

- 1.1. The school is committed to recruiting and appointing candidates with the necessary skills, knowledge and experience to be able to carry out, and be successful in, the posts it advertises.
- 1.2 Key to this process is effective planning in relation to defining the role and its requirements via a job description and identifying and selecting appropriate candidates through interviews and other selection techniques.
- 1.3 However it is also important to monitor and review the progress of appointees after starting to ensure that they receive the necessary training and support to be able to achieve their potential and to address issues of poor performance and/or conduct at the earliest stage

2.0 Scope

- 2.1 This policy applies to all newly appointed or promoted staff, including long-term temporary staff (i.e. those on fixed term contracts exceeding 6 months duration).

3.0 Principles

- 3.1 New and newly promoted members of staff can seek, and expect, additional help in developing the skills and knowledge required to undertake their role, if this is required. It is intended to be a supportive and developmental process and the school is committed to providing whatever assistance is reasonable to ensure that the probation period is successfully completed. However, should an acceptable standard of performance and/or conduct not be achieved the school reserves the right not to confirm the appointee in post and take whatever further action is required.
- 3.2 During the probationary period there is a responsibility: -
 - on the Line Manager, on behalf of the school, to train and guide the employee appropriately in order to fulfil the role they have been appointed to. This is an on-going responsibility but is specifically monitored during the probationary period.
 - on the newly appointed member of staff to demonstrate their capability to work to acceptable standards without requiring an unduly high level of supervision or interventions.

4.0 Timescales

- 4.1 Guide to time scales for completion of probation reports

	Teaching Staff, CEO AND CFO	All other staff
Probation period	6 -12 months (except ECT) – this may be reduced in cases of experienced teaching staff.	6 months
Reviews	3, 6 and 9 months	2 and 4 months

- 4.2 The duration of the probationary periods may be varied by in consultation with the Headteacher taking account of the level and responsibilities of the post. Full details regarding the duration of probation periods are contained in individual employees' contracts of employment.
- 4.3 Nothing in this procedure shall preclude the confirmation or non-confirmation in post of a probationer at any stage during the probation period. Should this be the case, the school's HR Adviser should be consulted, prior to any action being taken.

5.0 Continuous Assessment

5.1 Assessment of performance and active support and development and feedback should be an ongoing process throughout the probationary period (and beyond) and not just undertaken at the formal review stages. Informal probationary meetings may take place at any time to discuss any aspect of performance both below and above the standards expected.

6.0 Criteria for Assessment

6.1 The employee's work record as a whole should be considered. Particular attention should be given to the patterns of improvement or deterioration that may give an indication for the future.

6.2 Three key areas of review should be: -

- **Performance** - the ability of the employee to carry out the tasks and responsibilities of the post to a satisfactory standard, their contribution to the service or team.
- **Conduct** - how the employee conducts themselves, for example their behaviour, work relationships with employees, students or any external bodies or individuals, general attitude to work and commitment to the role.
- **Attendance Record** - timekeeping, levels of sickness absence etc.

6.2.1 Note: Where an individual has a poor attendance record directly related to sickness absence, the reasons for this should be carefully considered. Any such issue should be dealt with immediately in accordance with advice from the HR Adviser, who will have sought guidance in line with relevant school procedures, good practice and within legislation e.g. the Employment Rights Act 1996 and the Equality Act 2010.

6.3 These key areas are dealt with in the Probation Report Form (see Appendix 1) and should be specific, measurable, and realistic assessment criteria/targets.

7.0 First formal review

7.1 The Finance Office Officer/Headteacher's P.A. will forward a reminder to the Line Manager and employee not later than 2 weeks prior to the probation review due date. This will refer the Line Manager and employee to the probation review form and policy. For further advice and guidance contact the Headteacher.

7.2 The Line Manager will be responsible for arranging the probation review meeting. It is advisable to do this on or around the employee's start date to ensure that the review is carried out in good time.

7.3 Following the meeting, a probation report should be completed by the Line Manager. At the end of the report the Line Manager will need to make one of three recommendations:-

- That the performance/conduct of the employee is satisfactory, and that the probation period should be continued to the final review.
- That the performance of the employee is satisfactory, but some areas of performance/conduct may have been highlighted with targets for improvement and additional training and guidance should be given and an action plan drawn up. The probation period should continue to a final review at which time the areas of concern should be reviewed.
- That the performance/conduct of the employee is unsatisfactory and there is no action that could be taken to improve performance. The probation period should be ended and the employee not confirmed in post.

7.4 In 7.3.i and 7.3.ii a copy of the report must be given to the employee for them to sign and return to the Line Manager. The employee may, if they wish, keep a copy of the report for their own records. The original must then be forwarded to the Deputy Headteacher for review. Where there are no issues of concern the Deputy Headteacher will endorse the recommendation and retain the completed report on the employee's personal file.

7.5 Managers must only recommend 7.3.iii having discussed the issues of concern with the Deputy Headteacher and with the advice of the HR Adviser if appropriate. A copy of the report must then be sent to the Deputy Headteacher and they will inform the employee that a Probationary Hearing will be held.

8.0 Final formal review

8.1 The final review meeting will be held, between the line manager and the employee, no later than 1 month prior to the end of the probationary period.

8.2 Following the meeting, a probation report must be completed by the Line Manager. The Line Manager will be required to make one of three recommendations:-

8.3 If the performance/conduct of the employee is satisfactory they will be confirmed in post. A letter will be sent to the employee on receipt of the completed and signed probation form confirming the employee in post.

8.4 If the line manager considers that the probationer may be unsuitable for permanent employment or there has been insufficient improvement in performance following additional training and support, the case must be referred to the Deputy Headteacher for consideration. The Deputy Headteacher, with advice from HR Adviser must decide whether:

- Additional time is required to be able to fully assess the suitability of the employee. In these circumstances an extension to the probationary period may be agreed (see below).
- A further review is unlikely to lead to any substantial improvement and the decision should be taken that a Probationary Hearing must be arranged (see Probationary Hearing Section 11) to consider whether the employment should be confirmed.

9.0 Extensions to Probationary Periods

9.1 Extensions of probation periods must not be used as a means of putting off a difficult decision and are only justified in exceptional circumstances, for example: -

- Where an employee has not yet been given enough training and/or support to carry out the role to the required standard.
- Where a one-off bout of sickness has led to a long period of absence that may need to be taken into consideration.
- Reasonable adjustments to be made where there are mitigating circumstances.

9.2 The decision to extend a probationary period must be made after advice has been sought from the Headteacher and with advice from the HR Adviser if appropriate. In the case of an extension, the employee must be informed, in writing, of the reasons for and terms of the extension. A period of three months should be sufficient time for a decision to be made. The employee has a right of appeal against extension of a probationary period as set out in Section 12.

10.0 Action at the end of an extended Probationary Period

10.1 If, at the end of an extended probationary period, the employee has achieved an acceptable standard of performance, they will be confirmed in post. (See 8.2.1)

10.2 If, at the end of an extended probationary period, the member of staff has failed to achieve an acceptable standard of performance then a formal Probationary Hearing must be held. (See section 10)

11.0 Probationary Hearing

11.1 Probationary Hearings will be conducted where it has been identified that:

- the employee's work performance is unsatisfactory or
- that there has been no improvement in poor performance or

- where there is a record of poor attendance
- 11.2 The decision to hold a Probationary Hearing will be taken by the Deputy Headteacher with advice from the HR Adviser and can be taken at any time during the probationary period. One potential outcome of a Probationary Hearing is that the employment may be ended.
 - 11.3 The Probationary Hearing will be chaired by the Deputy Headteacher and the HR Adviser or a Governor will also be present.
 - 11.4 The employee must be informed in writing informing them of the reason for the Probationary Hearing and where and when the hearing will be held. The letter will include details about the issues that are to be discussed, any relevant documents and policies and procedures.
 - 11.5 Either side may delay the hearing once for reasons of the non-availability of representation, sickness, or other substantive reason, but after this the Hearing may be held in the absence of any party unable to attend. Those unable to attend must be allowed to have written submissions presented.
 - 11.6 The employee will have the right to be accompanied to the Hearing by a workplace employee or Trade Union representative.
 - 11.7 The procedure for the Hearing will be as outlined in the Appendix 2.

12.0 Probationary Hearing Outcome

- 12.1 In most circumstances the outcome of a Probationary Hearing will be to highlight the areas where improvement is required and to suggest methods and time scales for achieving them. The employee will be informed that failure to reach the expected standards by the specified date may mean they will not be confirmed in post.
- 12.2 In certain circumstances, e.g. ongoing incapability/inability to achieve an acceptable standard of performance, a decision may be taken not to confirm the employee in post without a notice of improvement.
- 12.3 A decision not to confirm in post will be taken by the Deputy Headteacher with advice from the HR. If a decision to terminate the employee's employment within their probation period, they will be deemed to be "nonconfirmed in post".
- 12.4 The employee must receive confirmation of the decision in writing within 48 hours of the Hearing, setting out summary reasons and the right of appeal against non-confirmation in post as set out in section 12.
- 12.5 An extension to the probationary period is given.

13.0 Appeals

- 13.1 Where the decision is to extend the probationary period or that the employee cannot be confirmed in post, the employee will have the right of appeal to the Headteacher.
- 13.2 Appeals must be made, in writing, to the Headteacher's PA. The appeal must be made within 10 days of the original hearing and should state the grounds on which the appeal is based.
- 13.3 The appeal process will not normally be an opportunity to repeat the Probationary Hearing. A repeat of a Hearing will only be allowed where an appellant can show that significant new evidence has come to light which could have had an impact on the decision of the probationary panel.
- 13.4 The procedure will be as outlined in the Appendix 2.
- 13.5 The decision of the Appeal Panel will be final.

- 13.6 At the Appeal Hearing, the employee will have the right to be accompanied by a representative of a recognised Trade Union or work employee. Until the outcome of the appeal has been decided the dismissal will remain in force. Where an appeal is against a dismissal decision, that decision will have immediate effect so that, if the dismissal is by notice, the period of notice will have begun at the date given in the decision. Any appeal will normally be held prior to the expiry of the notice period. However, if notice has expired there will be no liability to pay the member of staff for the period between that decision and the hearing of his or her appeal. If however the appeal is successful the contract of employment will be re-instated and pay and service will be backdated to the date of the dismissal.
- 13.7 The decision of the Appeal Hearing should be communicated to the employee in writing without unreasonable delay, normally within 48 hours/two working days of the Hearing.

14.0 Notice Periods

- 14.1 During the probationary period all staff will be subject to an employers' one months, notice period for termination of employment.
- 14.2 After confirmation of satisfactory probation in post the employers' and employee's notice period will be as per the employee's statement of terms and conditions of employment.
- 14.3 During the probationary period, newly promoted employees with more than one year's continuous service will be subject to notice of dismissal in accordance with the employee's statement of terms and conditions of employment or statutory provisions, whichever is the greater.

APPENDIX 1

Teaching Staff

Overview: Performance Review during Probationary period

Employee Name			
Post Title			
Department			
Post start date			
Line Manager			
	Date Due	Action, by whom, and achievement dates	Please initial when completed
Initial meeting			
3 – month review			
6 – month review			
9 – month review			
12 – month FINAL review			

A copy of this document should be shared with the employee following each meeting.

APPENDIX 2

All other Appointed Staff

Overview: Performance Review during Probationary period

Employee Name			
Post Title			
Department			
Post start date			
Line Manager			
	Date Due	Action, by whom, & achievement dates	Please initial when completed
Initial meeting			
2 – month review			
4 – month review			
6 – month FINAL review			

A copy of this document should be shared with the employee following each meeting.

APPENDIX 3

Guide to timescales for completion of probation reports

	Teaching Staff, CEO and CFO	All Appointed staff
Probation Period	6 – 12 months (ex ECT)	6 months
Reviews	3, 6 and 9 months	2 and 4 months

SECTION A:

Expectations AND Objectives: the line manager must identify expectations and objectives to be achieved during the probationary period.

SECTION B:

Development Plan: to support the employee in achieving these objectives, the line manager must identify any training and development needs and specify how and when these needs will be addressed during the probationary period.

Employee's signature	
Manager's signature	
Date:	

APPENDIX 4

Performance Review during Probationary Period

Please complete Sections A, B, C and D for each review and Section E if the final review only.

Name		Department	
Post		Start date for this post	
Probationary Period		From	To
Period of this Review		From	To
Date Probation Review Meeting Held:			
A) Please comment on performance during the review period in each of the following areas taking into account progress made in achieving objectives / balance of duties previously identified.			
Work Area	Comments	Action, by whom, and achievement dates	
Quality of Work Including lesson observation for teaching staff (See note at foot of next page)			
Output of Work			
Knowledge and Skills			
Communications			
Working Relationships (teamwork and interpersonal)			
Attendance and Punctuality			

No. of days sick absence		
--------------------------	--	--

No. of occasions		
------------------	--	--

Induction Completed		
---------------------	--	--

B) Overall Conclusion (If performance is felt to be above requirements or alternatively unsatisfactory, this should be discussed with the employee. A note should be made below of action taken, date of discussion and steps taken to improve performance as appropriate).

--

C) Immediate Training / Development Needs
Please detail any essential training & development needs, including relationship to job description and current school / departmental targets, which has arisen since completion of the process.

--

D) Employee comment/reflection
Here the employee may provide any comment about their experience of the probation review to date or final probationary process.

--

Signed Line Manager	
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Signed Employee	
------------------------	--

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E) Recommendation of End of Probation Period (Only complete section E, if this is the Final review period)

*1. I confirm that the probationary period has been satisfactorily completed and recommend confirmation of appointment.

OR

*2. I confirm that the probationary period has not been satisfactorily completed for the following reasons:

It is therefore recommended that:

* (a) The probationary period should be extended by Months

Or

* (b) The appointment should not be confirmed, and advice will be sought from the Deputy Headteacher with advice from the School's HR Adviser

* delete as appropriate

Authorised by Head of Department	
---	--

Note: Peer observations (if appropriate) should take place between 0 to 3 months employment and again between 6 to 9 months employment, using the agreed documentation from the teaching observation scheme.

At the end of each review the Line Manager must hand a copy to the Headteacher's PA for the employee's file. Thank you. (Please keep a copy for yourself and the employee).

APPENDIX 5

Format and Conduct of Hearings

The Role of the Companion

The employee may be accompanied by a trade union representative or work employee.

The chosen companion can:

- act as a witness,
- take notes,
- address the hearing
- confer with the employee

The chosen companion may not:

- answer questions on behalf of the employee
- address the hearing if the employee indicates he or she does not wish the companion to do so • use the powers in a way that prevents the employer from explaining its case

It is the employee's responsibility to ensure that their chosen companion is willing to act and is available to attend the hearing.

Constitution of the Panel

The Appeal Hearing will be chaired by a Senior Manager and accompanied by the School's HR Adviser.

The Conduct of the Hearing

The Chair will introduce all those present, their role, and ensure that everyone is aware of the background to and the purpose of the hearing. He or she will keep an open mind and listen carefully to what is said.

The Chair will ensure that all documents relevant to the hearing have been received and that each party has a set of relevant documents including a copy of the relevant procedure.

In the event that a document has been tabled, agreement by each party must be sought that the tabled document is acceptable.

The Line Manager will put forward the case in the presence of the employee and his/her representative and may call witnesses.

The employee (or his/her representative) will have the opportunity to ask questions of the Line Manager and any of the witnesses.

The person(s) conducting the hearing shall have the opportunity to ask questions of the Line Manager and witnesses.

The school's witnesses will leave the hearing at this point, but may be recalled at a later point in the proceedings if required.

The employee (or his/her representative) will make a response in the presence of the School's representative and may call witnesses.

The school's representative will have the opportunity to ask questions of the employee and of any witnesses.

The person(s) conducting the hearing will have the opportunity to ask questions of the employee and of any witnesses.

The school's representative, followed by the employee (or his/her representative) will have the opportunity to sum up their case(s) if they wish.

Witnesses

Any witnesses called by either side will attend the hearing to give their account of the matter unless in exceptional circumstances sensitive issues have arisen and the Chair agrees that it would be inappropriate for any such witnesses to be present. The witness will be called at the appropriate time in the proceedings and will only be present during the time that they give their evidence and take questions.

Adjournments

The Chair may adjourn the proceedings at any stage if this appears necessary or desirable or for reasons of a disability where a break is required. If adjourning to enable further information to be obtained, they will specify the nature of that information. Any adjournment will normally be for a stated period.

The Decision

The Deputy Headteacher conducting the hearing will deliberate in private only calling the School's representative and the employee (or his/her representative) to clear points of uncertainty on facts already given. If recall is necessary both parties are to return notwithstanding only one is concerned with the point giving rise to doubt.

All parties must be informed of the decision, summary reasons and the action to be taken in writing normally within 48 hours where practicable. The employee must also be informed in writing of the right of appeal.

Conduct of an Appeal Hearing

An Appeal Hearing will be conducted in the same way as a Hearing (see 3 above) except that the presentation of cases will be made in reverse order with the employee presenting their case first, followed by the Line Manager.

All parties will be informed of the decision, summary reasons and the action to be taken in writing normally within 48 hours where practicable, or within 2 working days.

PROCEDURE FOR MAKING PROTECTED DISCLOSURES PUBLIC INTEREST DISCLOSURE ACT 1998

Whistleblowing Policy

1.0 Introduction

- 1.1 This document sets out the policy and procedures of the Gryphon Trust (“the Trust”) in respect of whistleblowing.
- 1.2 It applies equally to all officers of governance, employees (including trainees), agency workers and anyone working on a casual or voluntary basis (collectively referred to herein as “colleagues”) and regardless of length of service. However, this policy does not form part of any contract of employment and can be varied from time to time.
- 1.3 The Trust is committed to operating with honesty and integrity. We expect all colleagues to operate on this basis and to adhere to the Trust’s policies, procedures and codes of conduct. Fraud, misconduct or wrongdoing are counter-cultural to our standards.

2.0 Purpose

- 2.1 To encourage colleagues to report suspected wrong doing internally rather than externally as a first resort, but also to provide them with the appropriate points of contacts, if not.
- 2.2 To assure colleagues that any action under this policy be treated seriously and dealt with confidentially, and without detriment to themselves.
- 2.3 This policy does not deal with any complaints relating to a colleague’s own treatment at work or own contract of employment. Those matters should be raised under the relevant procedure in the Trust’s Manual of Personnel Practice, for example, the grievance procedure.

3.0 Affirmation

- 3.1 No colleague who raises a concern in accordance with this policy will be treated less favourably for raising the concern, be subjected to any detriment or be dismissed for doing so, even if mistaken in their belief, provided such concern is not raised maliciously or vexatiously.
- 3.2 The Trust will, at its discretion, consider disclosures that are made anonymously, although such disclosures are inevitably much less powerful. The Trust will also treat every disclosure in confidence, and only reveal the identity of the person making it, if necessary, e.g. if required in connection with legal action.

4.0 What is whistleblowing?

- 4.1 Whistleblowing is when a worker reports suspected wrongdoing at work. These are often referred to as protected disclosures.
- 4.2 For example:
 - A criminal offence; and/or
 - A miscarriage of justice; and/or
 - Damage to the environment; and/or
 - Breach of a legal obligation; and/or
 - A danger to health and safety; and/or
 - A deliberate concealment of any of the above.
- 4.3 A colleague can report things that are not right, are illegal or if anyone at work is neglecting their duties, including:
 - breaches of health and safety procedure
 - damage to the environment

- a criminal offence
- the Trust is breaking the law (like not having the right insurance)
- deliberately covering up wrongdoing.

4.4 A colleague who has a reasonable belief that a wrongdoing has or may be committed and raises a genuine concern relating to any of the above, is a whistle blower and is protected under this policy.

5.0 Rights of the whistle blower

5.1 All colleagues are encouraged to use this policy to raise genuine concerns and will not be treated less favourably for doing so, even if they are mistaken in their belief.

5.2 Any colleague who raises a concern under this policy will not be subjected to a detriment nor will they be dismissed for doing so.

5.3 For Trust employees, it is likely that the Public Interest Disclosure Act (PIDA) offers colleagues legal protection from being dismissed or penalised for raising certain serious concerns ('blowing the whistle'). Whistleblowing rights under PIDA are day one rights. This means that the worker does not need the same two years' service that is needed for other employment rights.

5.4 Any colleague who believes that they have been subjected to a detriment for raising a complaint should raise the matter with the named the Trust's accounting officer. For further details please refer to **Appendix C**.

5.5 Victimisation of a whistle blower by any other colleague for raising a concern under this policy will constitute a disciplinary offence.

5.6 Where the Trust believes that a colleague has knowingly made a false allegation or acted maliciously or vexatiously, the colleague will be subject to disciplinary action, which may include dismissal for gross misconduct.

5.7 This policy does not deal with any complaints relating to a colleague's own treatment at work or own contract of employment. Those matters should be raised under the relevant procedure in the Trust's Manual of Personnel Practice, for example, the grievance procedure.

5.8 An exception to the provision of clause 2.3 above will be when the matter of concern arises from the colleague's own treatment at work because of previously raising a whistleblowing matter.

6.0 Making a whistleblowing complaint

6.1 To make a whistleblowing complaint the whistle blower must meet certain conditions. If the disclosure is made to the Trust, it must be in the public interest and the person making the complaint ("the whistle blower") has a reasonable suspicion that the alleged malpractice has occurred, is occurring or is likely to occur.

6.2 If the disclosure is made to a regulatory body, then as well as satisfying the conditions required for disclosure to the Trust, the whistle blower must also honestly and reasonably believe that the information they provide and any allegations contained in it are substantially true. For example, a colleague will be eligible for protection if: -

- they honestly think what they are reporting is true
- they think they are telling the right person
- they believe that their disclosure is in the public interest.

6.3 If the disclosure is made to other external bodies, then as well as satisfying the conditions required to the Trust, in all circumstances of the case it must be reasonable for them to make the complaint. Further the whistle blower must:

- reasonably believe that they would be victimised if they raised the matter internally or to a regulatory body or,
- reasonably believe that evidence is likely to be concealed or destroyed or,
- have already raised the concern with the council and/or relevant regulatory body and,

- reasonably believe that the information they provide and any allegations contained therein are substantially true.
- 6.4 If the disclosure is made to other external bodies and is of an "exceptionally serious" nature – which in an Academy setting could include the alleged abuse of children or vulnerable adults in the Trust's care, or corruption, then the whistleblower will not be required to: -
- have raised the matter concerned internally first;
 - believe that they will be subject to a detriment for raising the disclosure internally;
 - believe that the evidence is likely to be concealed or destroyed.
- 6.5 To make a disclosure of a Safeguarding nature, see **Appendix A**.
- 6.6 To make a disclosure about maladministration of public examinations, see **Appendix B**.
- 6.7 To make any other type of disclosure either telephone or write to EYE4HRSOLUTIONS, listed in **Appendix C**. If writing, mark the envelope: 'Strictly Private and Confidential'. Do not email these individuals, as email is not a secure medium and must not be used.
- 6.8 EYE4HRSOLUTIONS will acknowledge receipt of your disclosure in writing, within 5 working days. They will also gather further information, if need be, including by personal interview, at which you can be accompanied by an official of your trade union or professional association, or by a fellow employee or friend. When the precise nature of the malpractice has been established your disclosure may be referred to the Trust's Accounting Officer for a decision regarding further action.
- 6.9 The Accounting Officer (or Chair of Trustees if the disclosure relates to the Accounting Officer) will determine what further action, if any, is needed, which may comprise:
- internal investigation
 - report to the Police
 - report to external audit
 - independent enquiry
 - any combination of the above.
- 6.10 Throughout the process EYE4HRSOLUTIONS will keep you informed on progress and (subject to legal constraints) the eventual outcome.
- 6.11 If the colleague does not reasonably believe that appropriate action has been taken in relation to their concern, then they may raise it externally to the Public Concern at Work. This will include advising who the appropriate prescribed regulator is. The website for Public Concern at Work is www.pcaw.co.uk **Appendix D**.

7.0 Data Protection

- 7.1 The organisation will comply with the provisions of the Data Protection Act 2018.
- 7.2 Employee data will be processed by the organisation in accordance with the principles of that legislation, as necessary for the performance of the employee's contract of employment and/or the conduct of the organisation's business. The organisation will ensure that personal information about an employee, including information in personnel files, is securely retained.

APPENDIX A

Hampshire County Council's Local Authority Designated Officer (Safeguarding LADO) can be contacted at: -

Shona McMinn
Local Authority Designated Officer (LADO) / Safeguarding Advisor
Hampshire County Council Safeguarding Unit
Falcon House
Monarch Way
Winchester
Hampshire
SO22 5PL
Tel: 03707 794328

In addition, the NSPCC has set up a dedicated whistleblowing advice line which can be accessed by phone or email:
Hotline: 0800 028 0285 (available 8.00 am – 8.00 pm Monday – Friday)
Email: help@nspcc.org.uk

APPENDIX B

In compliance with section 5.11 of the JCQ's General Regulations for Approved Centres, all schools within the Trust will: -

- take all reasonable steps to prevent the occurrence of any malpractice (which includes maladministration) before, during and after assessments have taken place
- inform the awarding body immediately of any alleged, suspected, or actual incidents of malpractice or maladministration, involving a candidate or a member of staff, by completing the appropriate documentation
- as required by an awarding body, gather evidence of any instances of alleged or suspected malpractice (which includes maladministration) in accordance with the JCQ publication Suspected Malpractice: Policies and Procedures and provide such information and advice as the awarding body may reasonably require.
- An individual who has a concern or reason to believe that malpractice has or will occur in an examination or assessment should normally raise these with the head of examination centre i.e. the headteacher. However, there may be times when it is more appropriate to refer the issue direct to the governing board, most often when the allegation is against the head of centre.

Further information may be referenced at: -

- www.jcq.org.uk/exams-office/general-regulations/
- www.jcq.org.uk/exams-office/malpractice/
- www.jcq.org.uk/examination-system/imc-home/

APPENDIX C

EYE4HRSOLUTIONS

45 Cobden Crescent,
Bitterne Park,
Southampton,
Hants
SO18 4EX
Tel: 07891 263125

Accounting Officer

Mr Nigel Pressnell
The Gryphon Multi-Academy Trust
New Milton
Hampshire
BH25 6RS
Tel: 01425 625421

APPENDIX D

Public Concern at Work

3rd Floor Bank Chambers
6-10 Borough High St
London SE1 9QQ
Helpline: 020 7404 6609
Email: helpline@pcaw.co.uk

Audit Commission Head Office

1st Floor Millbank Tower
Millbank
London
SW1P 4HQ
Whistle blower's Hotline:0845 0522646
www.audit-commission.gov.uk

Further background information on this topic is also available on the following websites: -

- www.acas.org.uk
- www.audit-commission.gov.uk
- www.pcaw.co.uk

1.0 Other Contacts

- 1.1 Please note that the Academy Trust takes no responsibility or liability for any material produced by or contained in external sites or for any advice or services given by external organisations. It is the responsibility solely of each person to decide whether they use any such material, advice, or service
- 1.2 This procedure is intended to operate in accordance with the provisions of the Public Interest Disclosure Act 1998 (as amended) (hereafter known as 'the Act'). The Act gives protection to staff and workers who report employees they believe are doing something wrong or illegal, or who are neglecting their duties. The matters that come within scope of the Act and this procedure are set out in Step 2 of the procedure below.
- 1.3 The 'Whistleblowing' procedure is intended to enable staff to report wrongdoing in the school where it would be in the public interest to do so. The wrongdoing has to be such as to potentially affect the general public, rather than simply being a complaint of an individual nature, such as a personal grievance*, which is not normally covered under

whistleblowing law. [*An individual personal grievance will normally need to be dealt with via other internal school procedures.]

- 1.4 The 'Whistleblowing' procedure provides for matters to be referred externally where necessary, ultimately to a 'prescribed person' (see Step 5.2 of the procedure below). However, the procedure encourages staff to raise their concerns initially within the school as a first priority, rather than to make a disclosure outside of the school. In the vast majority of cases this will enable matters to be dealt with much more efficiently and speedily.
- 1.5 The Act applies to all workers as well as staff and this procedure applies to all teaching and other staff employed directly by the trust, external contractors providing services on behalf of the trust, teacher trainees and other trainees, volunteers and other individuals who work for or provide services on behalf of the trust. These individuals are collectively referred to in this procedure as staff or staff members.

2.0 Principles

- 2.1 The Governing Body of the school will treat all disclosures made under the procedure very seriously and allegations about such matters will be dealt with quickly and with appropriate confidentiality at all times.
- 2.2 The procedure gives protection from victimisation, discrimination or disadvantage to staff who make such a disclosure in the public interest. This protection applies in respect of such a detriment arising from an act, or a failure to act, either by the employer or by a fellow worker, whether the latter be with or without the employer's knowledge. The procedure also ensures that the person making the disclosure receives an appropriate response to their disclosure and is made aware of how they may pursue the matter outside of the school if the response given is not satisfactory.
- 2.3 This "Whistleblowing" Procedure should not be confused with others, such as individual or collective grievance procedures that exist to enable staff to raise concerns about their own employment. It is designed to deal with issues that fall outside of the scope of those procedures and therefore excludes all matters that are more appropriately covered by them.

3.0 Time limits

- 3.1 There are no time limits on raising concerns under this procedure, but they should be raised at the earliest opportunity. Where time limits are included within this procedure, they exist to ensure that disclosures are dealt with as quickly as possible, and to ensure a prompt initial response from management. The investigation that takes place after a disclosure is made is not time limited, but will be conducted as quickly as possible within the circumstances of the disclosure.

4.0 Representation

- 4.1 Staff are entitled to representation by a professional association/trade union representative/work employee at any meeting or interview held in relation to the disclosure made. Staff should specify that they are making a disclosure under this procedure.
- 4.2 Unfounded or improperly made allegations
 - 4.2.1 If an allegation is unfounded or unsubstantiated (i.e. there is no factual basis or evidence to support the allegation) but the staff member has made the allegation honestly and in the reasonable belief that it was in the public interest, no action will be taken against them.
 - 4.2.2 If an allegation is deemed to have been made falsely, maliciously, frivolously or for personal gain, then the person making the allegation may face disciplinary action. Care should be taken in dealing with such allegations as some facts may not be wholly untrue. Some parts of an allegation may have been fabricated or exaggerated but elements may be based on truth.

5.0 The Procedure

- 5.1 Step 1 - Raising a concern

- 5.2 Concerns under this procedure should initially be raised with the staff member's immediate line manager. If the staff member believes their manager is involved in the malpractice, they may raise their concerns with a more senior member of staff, including the Headteacher. If the staff member believes it is not appropriate to raise the matter with the Headteacher, he/she may approach the Chair of Governors. (In the event that the matter cannot be raised within the school, the staff member may raise their concerns in accordance with Step 5). The relevant manager is encouraged to take advice from the school's HR adviser. This can be accessed through The Gryphon Trust.
- 5.3 Within ten working days of a concern being raised, the person receiving it will write to the staff member acknowledging receipt and indicating what initial steps will be taken to deal with it. Where possible an estimate will be given of the time it will take to provide a final response.
- 5.4 Concerns should be raised in writing. These disclosures should provide as much information as possible about the matter, including dates, individuals involved, other possible sources of information, etc. Staff must be able to demonstrate to the person hearing the disclosure that there are reasonable grounds for making the allegations.
- 5.5 Staff may wish to make anonymous disclosures although it may be important for the investigating manager to know the source of information to enable a full investigation. The manager would also need to take into account the nature and credibility of an allegation before deciding to proceed with an investigation. However, staff should be re-assured that all disclosures will be treated in confidence and every effort will be made to preserve anonymity. The Act provides protection against victimisation to anyone who makes a protected disclosure in good faith.
- 5.6 Step 2 – Determine whether the concern raised is a Protected Disclosure
- 5.7 Qualifying disclosures are disclosures of information where the staff member reasonably believes (and it is in the public interest) that one or more of the following matters is either happening, has taken place, or is likely to happen in the future:
- a criminal offence (e.g. fraud, corruption, sexual or physical abuse of pupils/students or others);
 - a failure by a person to comply with any legal obligation to which he/she is subject;
 - a miscarriage of justice;
 - a danger to the health or safety of any individual;
 - damage to the environment, or
 - a deliberate attempt to conceal any of the above matters.
- 5.8 Following disclosure of one of the above matters, the person receiving the disclosure must determine whether it is a 'qualifying disclosure' under the Act, by considering the following:
- whether any factual information was actually disclosed, as opposed to opinion only, to the employer (or relevant person);
 - whether the individual making the disclosure believed that the information tended to show that one of the matters above has occurred, is occurring or is likely to occur; and
 - whether that belief was reasonable.
- 5.9 If the above criteria are met, the disclosure will qualify as a protected disclosure, and the remainder of this procedure will apply. If the criteria are not all met but the staff member's disclosure was made in good faith, investigations should still take place into the allegations and the staff member should not be discriminated against because they have raised such an allegation. If it is found that the disclosure was made for malicious purposes or for personal gain, the school will consider the matter under its disciplinary procedure.
- 5.10 Step 3 - Investigation
- 5.11 A preliminary investigation will need to be undertaken to establish whether the alleged act or omission could actually have occurred, be occurring or be likely to occur in the future. The investigation is not, at this stage, to determine whether the alleged act or omission has actually occurred, but to determine the facts of the case (e.g. was the alleged individual actually where they were purported to be, what does the evidence show).

- 5.12 Allegations that have some foundation to them should be followed up with a full internal investigation, which may result in one or more of the following:
- no case to answer;
 - disciplinary action taken against the alleged individual;
 - referral to Social Services or the Police, or other relevant organisation;
- 5.13 If the allegations are unfounded (no evidence or proper basis that supports the allegation), or unsubstantiated (can neither be proven nor disproven), no action need be taken by the school, although it would be pertinent to determine why the staff member felt the need to raise the allegation in the first place, e.g. is there a training need within the school?
- 5.14 If it is found that the allegation was made for malicious purposes or for personal gain, the school will consider the matter under its disciplinary procedure.
- 5.15 Step 4 - Communication
- 5.16 Subject to legal constraints and the need to protect the rights of individuals, the staff member raising the concern will be informed of the outcome of any investigation at the earliest practicable opportunity. Such information will not include confidential details about formal action taken against another staff member.
- 5.17 For reasons of sensitivity and confidentiality, all communications with a staff member who acts under this procedure will be sent to their home address, unless an alternative arrangement has been mutually agreed.
- 5.18 Step 5 - Taking the matter further
- 5.19 In the event that a staff member feels that their concerns have not been resolved through the above process, they may write to the Chair of the Governing Body, if he/she has not already been involved, outlining their concern, the action taken to date and the reasons for their dissatisfaction
- 5.20 Within 10 working days of a concern being raised, the Chair of Governors will write to the staff member to acknowledge that the concern has been received and indicate what further steps will be taken, as well as providing an estimate of the time it will take to provide a final response. The Chair of Governors may decide to set up a small group of governors, where appropriate, to investigate the concerns. The Chair of Governors will then inform the staff member of the outcome of this process on the same basis as required of the manager above.
- 5.21 In the event that the matter cannot be satisfactorily resolved within the school, the staff member may escalate their concerns further. How they do this will depend on the status of the school, as follows:
- 5.22 If a staff member is dissatisfied with the response of the Governing Body and subject to the concern being a protected disclosure (see step 2 above), they can raise the matter, as appropriate, with any of the following:
- first through the Gryphon Trust Board
 - an elected Member of the County Council;
 - the Local Government Ombudsman;
 - others as set out below.

6.0 Academies

- 6.1 Staff in Academies who are dissatisfied after having raised concerns under 5.1 above, can also raise their concerns, as appropriate, with any of the following, subject to the concern being a protected disclosure (see step 2 above):
- a local Member of Parliament;
 - a relevant professional body or inspectorate (e.g. Ofsted or Health & Safety Executive);

- A ‘prescribed person’ as designated by the Act, a full list of whom can be found on the Gov.uk website under "Whistleblowing: list of prescribed people and bodies" (updated Nov '16)

6.2 Staff can only make a disclosure to a prescribed person if they:

- make the disclosure in good faith;
- reasonably believe the information is substantially true;
- reasonably believe they are disclosing the issue to the appropriate person or body (e.g. Health and Safety issues to the HSE).

6.3 In taking their concern outside of the school, staff must ensure that, as far as possible, the matter is raised without personal information relating to other staff, or confidential information about unrelated matters, being disclosed. A staff member who approaches an accredited legal advice centre, e.g. Public Concern at Work (0207 404 6609 or www.pcaw.org.uk) or Citizens Advice Bureau, must not breach the duty of confidence in this procedure to the Local Governing Body.

7.0 Failure to follow this procedure

7.1 Any staff member who unreasonably and without justification raises such issues on a wider basis, such as with the press, without following the steps and advice in this procedure may be liable to disciplinary action.

RECRUITMENT & SELECTION POLICY & PROCEDURE

1.0 Policy

- 1.1 This policy identifies a number of key stages in affectively recruiting and selecting for a post, and outlines the procedure to be followed at each of those key stages.

2.0 Personal Data - List 99 (Children's Barred List Check) and Enhanced DBS Central Record

- 2.1 A single record will be kept by each school within The Gryphon Trust which lists all employed staff and volunteers in each school. The record details a range of checks as set out by the Department for Education (DfE). A Trust record is maintained by the Senior Administrator.

3.0 Safeguarding and Safer Recruitment

- 3.1 This policy is aimed at the recruitment of paid positions within the school, but it should be noted that ALL people working in the school, including volunteers and other unpaid positions must complete starter paperwork to ensure that the relevant safeguards are in place prior to them being in school. Whilst they may not have direct contact with children as a result of their role/job, they must nevertheless may be considered safe and trustworthy due to their regular presence on the school site. Where volunteers or paid people are recruited by another organisation engaged by the school, e.g. sports coaches from a local club or there is a contract of services, the school will obtain written confirmation from the organisation/service demonstrating that the person(s) have been appropriately checked and appropriate insurances are in place. Where no such checks can be evidenced the individual should not be in school unsupervised until the organisation can demonstrate that the volunteer has been checked in accordance with DfE guidelines.

- 3.2 **All staff are required to sign to confirm that they have read and understood part one the Keeping Children Safe in Education Guidance Part 1.** For existing staff this will be embedded in to the line management review meetings and for new staff this will be covered in their induction.

Keeping children safe in education: Statutory guidance for Schools and Colleges

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

4.0 Preparation Stage

- 4.1 The recruitment and selection process should not commence until a full evaluation of the need for the role against the department's strategic plans, organisation charts and budget has been completed.
- 4.2 All new or changed posts must be formally reviewed and graded before they are advertised in order to help ensure equal pay for work of equal value.
- 4.3 Authorisation to recruit to a post **MUST** be sought before commencing the recruitment process from the Headteacher and no appointment may be made without this permission. Failure to obtain such permission will be considered a disciplinary matter.

5.0 Job Description & Person Specification

- 5.1 A job description and person specification must be produced or updated for any vacant post that is to be filled using the house style template.
- 5.2 The job description should accurately reflect the elements of the post.
- 5.3 The person specification should state both the essential and desirable criteria in terms of skills, aptitudes, knowledge and experience for the job, all of which should be directly related to the job and applied equally to all applicants. Care should be taken when writing the person specification to ensure that criteria used do not indirectly discriminate against certain groups of applicants. Both the job description and person specification should be retained.

6.0 Advertising

- 6.1 All positions will normally be advertised within the School as a minimum. This will help maximise equality of opportunity and provide staff with opportunities for career development, thus maintaining the skills and expertise of existing staff.
- 6.2 In exceptional circumstances and with advice from the school's HR, the Headteacher may waive the need to advertise.
- 6.3 This is likely to include the following circumstances:
- positions requiring specialised expertise where the department manager can demonstrate that a comprehensive search has been conducted and a nominated individual is the most suitable person for the position;
 - where the department manager can verify that the work is required for a specific purpose of no greater than twelve months duration;
 - where current members of staff are named on specific funding stream in order to ensure the individual's continued employment
 - Staff subject to redeployment will be given access to vacancies before they are advertised more generally within the School or externally.
- 6.4 In certain circumstances it may be more effective to use a recruitment agency. This should be discussed and agreed with the Headteacher. This will, however, not eliminate the need to advertise the position internally and any external agencies or consultants who assist in the process must act in accordance with this policy and with respect to the School's equal opportunities requirements.
- 6.5 Applicants should be provided with sufficient information to make an informed decision regarding their suitability for the role. Staff who have been in an acting position that subsequently becomes vacant will have to apply for the position when it is advertised, but in such cases the position can be advertised, in most circumstances this will be on an internal basis only.
- 6.6 Applicants are asked to provide equal opportunities details when making their application to enable a robust means of monitoring the success of recruitment in relation to the school's diversity aims. This information is separate from the job application and applicants are free to indicate that they do not want to provide these details.
- 6.7 The School has a legal obligation to comply fully with the provisions of The Rehabilitation of Offenders Act.
- 6.8 It is best practice that all adverts will show shortlisting and interview dates.
- 6.9 All advertised vacancies will be placed on the School's website as well as with other suitable websites. Additional advertising media may be selected dependent on the role and may include specialist publications e.g. the Times Education Supplement, other recruitment websites, local newspapers and agencies. All advertisements should ask 'Do you require any reasonable adjustments during the application and interview process.'
- 6.10 All advertising must be cost-effective and agreed in advance with the Headteacher.

7.0 Selection of Candidates

- 7.1 Shortlisting
- 7.2 Shortlisting should involve a panel but with a minimum of 2 people, one of whom would normally be the direct line manager.
- 7.3 Shortlisting and selection panels for academic appointments must meet the minimum composition requirements, as outlined in the Job Description and Person Specification and should be constituted with due consideration to the promotion of Equality and Diversity.

- 7.4 A Governor will not normally be on a panel but can be requested to be part of the panel at any time.
- 7.5 Notes of the shortlisting decisions for each candidate should be recorded by the lead member of the panel on the Candidate Application Assessment Form. One form should be completed for each candidate. All documents should be returned to the Headteacher's PA once the shortlisted candidates for interview have been selected.
- 7.6 Shortlisted candidates should be provided with details in writing of the selection process, including any tests/exercises and, if applicable, teaching a class, giving as much prior notice as possible and a minimum of 5 working days before the interview. In accordance with the Equality Act 2010, they should also be asked to advise the School in advance, if there are any particular arrangements or reasonable adjustments that should be made so that they can participate fully in the selection process.
- 7.7 All candidates (internal and external) should be assessed objectively against the selection criteria set out in the Person Specification, and only candidates who meet all the essential criteria should be short-listed. Assumptions about the qualities of internal candidates should not be made.
- 7.8 At application stage all applicants are made aware that they will only be contacted further if selected for interview.

8.0 Selection & Interview

- 8.1 The panel must include one person who holds current qualification in safer recruitment in schools.
- 8.2 All redeployment candidates who meet the essential criteria for the post (as set out in the person specification) will be offered an interview.
- 8.3 Interviews should normally be carried out by a minimum of two people, one of whom should be the HoD/ Manager.
- 8.4 Selection is a two-way process: candidates are assessing the role and the school and so those involved in recruitment should consider how best to convey a positive image.
- 8.5 It is recommended that a range of selection methods that are suitable for assessing both the essential and desirable criteria in the person specification are established. This will enhance objective decision making which is difficult through an interview alone.
- 8.6 Interview questions and the structure of the interview should be consistently applied to all candidates and should be based on the person specification. The Disclosure and Barring Service (DBS) suggests that the below questions are asked:
- Do you have any unspent conditional cautions or convictions under the Rehabilitation of Offenders Act 1974?
 - Do you have any adult cautions (simple or conditional) or spent convictions that are not protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales)?
- 8.7 Notes recording the salient points of the interview should be taken by the interviewers, so that they can refer back to these when assessing candidates against the person specification and making decisions. Notes of the interview and any other notes on the candidate taken during the recruitment and selection process should be retained by the Headteacher's PA and will be kept for a minimum of 6 months following the selection process. N.B panel members should be aware that this detail can be requested by candidates as feedback.
- 8.8 The school will ensure that it complies with all current immigration rules by reviewing its recruitment processes and management guidance as and when changes occur.
- 8.9 In the event that a candidate requests feedback about their performance in the selection process, this should be arranged by the chair of the panel.
- 8.10 Unsuccessful interview candidates should be dealt with courteously and sensitively and will, as a minimum, receive telephone or written notification of the outcome of the selection process from the recruiting line manager.

- 8.11 Where there is an international candidate and a candidate from the UK who are equal after the selection process is complete and both meet the requirements of the role, then the candidate from the UK must take precedence, and be offered the role. This reflects the statutory employment requirements.

9.0 Referees

- 9.1 Two references for each shortlisted candidate will be taken up by the Headteacher's PA prior to interview. If the appointment is urgent, the Head of Department may seek to obtain a verbal / telephone reference for the successful candidate provided standard procedures for doing so are followed.
- 9.2 Information sought from referees should be structured around the requirements of the job and the job description provided. It should be noted that many organisations have a policy of not providing character references and therefore references provided may only confirm details of current appointment. This is much less likely to be the case with references for academic posts, where, to ensure safeguarding measures are in place, it is essential to confirm suitability to work with students.
- 9.3 The information provided should be treated as confidential by the panel members.

10.0 Making the Appointment

- 10.1 It is recognised that in many cases it is desirable to make a verbal offer very shortly after the selection process to enhance the school's ability to recruit the selected candidate. This is normally undertaken by the recruiting line manager.
- 10.2 The school recognises a variety of contracts and all offers of employment must be within the accepted scope of agreed contracts.
- 10.3 Appointments will usually be made at the minimum grade of the advertised salary scale unless directly relevant experience would justify additional increments. Advice should be sought from the Headteacher if the intention is to appoint at the maximum of the advertised salary scale. No appointment can be made above the advertised scale.
- 10.4 Once a selection decision has been made, the Headteacher's PA will produce a written offer of employment following receipt of a Candidate Application Assessment Form (which includes salary recommendation) from the chair of the selection panel, in line with agreed service standards.
- 10.5 Offers of employment are normally subject to satisfactory references, medical clearance, qualification checks and any other checks as appropriate, such as Asylum and Immigration checks, Disclosure and Barring Services checks (All posts are exempt from the provisions of the Rehabilitation of Offenders Act).
- 10.6 All posts are considered to fall with the statutory definition of Regulated Activity and are therefore all appointments are subject to an enhanced DBS with Barred check.

11.0 Monitoring

- 11.1 The recruitment, induction, probation and leaver process will be monitored by the Headteacher and reviewed at regular intervals to ensure best practice. This will include:
- Staff turnover and reasons for leaving
 - Exit interviews
 - Attendance of new recruits at child protection training and other training deemed essential by the School.

APPENDIX 1

Recruitment and Selection – A Checklist

PRE-INTERVIEW	INITIALS	DATE
Planning job description drawn up person specification completed application form (& information pack if appropriate) seeks all relevant information & includes relevant statements re: references, Safeguarding, etc.		
Vacancy advertised advert includes reference to safeguarding policy need for DBS check included		
Applications – on receipt scrutinised closely discrepancies/anomalies/gaps in employment noted if short listed		
SHORTLIST		
References – seeking sought directly from referees asks recommended specific questions includes statement re: liability for accuracy includes Safeguarding policy statement or similar		
References – on receipt checked against information on application form scrutinised closely any discrepancy/issue of concern noted to take up with applicant		
Invitation to interview <ul style="list-style-type: none"> contains all relevant information and instructions 		
Interview arrangements at least two interviewers, at least one SR trained panel have agreed issues and questions/assessment criteria/standards		
INTERVIEW <ul style="list-style-type: none"> explores applicants' suitability for work with children as well as for the post 		
PRE-APPOINTMENT CHECK		
On day of interview identity and qualifications of successful candidate verified on day of interview by scrutiny of appropriate original documents health - medical fitness verified conditional offer made		
Subsequent to interview DBS Disclosure form completed (if appropriate) DBS Disclosure received		
<ul style="list-style-type: none"> ISA lists checked 		
professional status verified (QTS, NPQH, etc.) GTC registration (or exemption verified) – teaching staff (currently)		
<ul style="list-style-type: none"> successful completion of statutory induction/NQT period - teaching staff 		
<ul style="list-style-type: none"> satisfactory completion of probationary period - non-teaching staff 		

SOCIAL MEDIA, PRESS, AND TV ENGAGEMENT POLICY

1.0 Purpose

- 1.1 The purpose of this policy is to ensure all staff act professionally at all times and do not place themselves in a potentially vulnerable position or their actions inadvertently bring the Trust or any of its schools into disrepute.
- 1.2 Only authorised persons (CEO, school headteachers, marketing coordinator) are permitted to approve publication of media content, including quotes, opinion, or statements, on behalf of the Trust and its schools. No other employee is allowed to speak, comment, or publish content on the trust or its schools' behalf. Guidance is offered on speaking in a personal capacity later in this document.
- 1.3 Employees must refrain from making personal comments/statements on social media or to the Press (including unattributed or "off-the-record" remarks) which may cause harm to the The Gryphon Trust, its schools, other employees, or students, or damage the reputation of the trust's operation, for example, by undermining community confidence.

2.0 Underpinning Principles

- 2.1 The welfare of the child is paramount (Children Act 1989).
- 2.2 It is the responsibility of all adults to safeguard and promote the welfare of pupils. This responsibility extends to a duty of care for those adults employed, commissioned or contracted to work with pupils.
- 2.3 Adults who work with children are responsible for their own actions and behaviour and should avoid any conduct which would lead to any reasonable person to question their motivation and intentions.
- 2.4 Adults employed to work in educational settings should work and be seen to work, in an open and transparent way.
- 2.5 The same professional standards should always be applied regardless of culture, disability, gender, language, racial origin, religious belief and/or sexual identity.
- 2.6 Adults should continually monitor and review their practice and ensure they follow guidance contained in this document.
- 2.7 As the use of social media and mobile communications becomes more embedded in everyone's lives it is useful to reflect on the way we use tools such as Facebook, Twitter, TIKTOK and LinkedIn in our professional context as well as to remind ourselves of the appropriate use of mobile phones to ensure that as educators we are operating safely as individuals as well as meeting school and sector safeguarding expectations.
- 2.8 Staff may well be conversant with new and emerging technology and therefore aware of possible pitfalls as well as the benefits of such instant communications but below are some key points, including those relating to aspects of safeguarding, that staff should make themselves familiar: -
 - Views expressed via social media, and content posted online, should always uphold the values and promote the good reputation of the Trust/School. It should never refer to individual students, staff or their identifiable circumstances.
 - Teachers should be clear with students why no member of staff at the school will communicate with them via personal mobile phones or personal Facebook accounts. By way of a reminder it is not appropriate to become friends via social media with students – this both safeguards students as well as protecting staff members from any accusations of inappropriate relationships or communications in the context of social media. If a student tries to make contact with a member of staff via a social media site this should be reported to the Headteacher or a member of SLT.
 - Facebook privacy settings need to be checked regularly. It is important that staff do not use Facebook (or any other social media) to refer to any matter or to show pictures to do with work, students, work employees or the school in general either whilst at work or at home unless it has been approved in advance and is via recognized Trust/School media sites.

- 2.9 Social media is a public forum and the same considerations, including the provisions of this policy, apply as would to speaking in public or writing something for publication, either officially or in a personal capacity. When engaging with social media staff must all times respect confidentiality, financial, legal and personal information.
- 2.10 Where any personal social media accounts used by an employee make reference or link them to their public role, they must take care to ensure that it is clear in what capacity you are acting and that they are not offering comment or making statements on behalf of The Gryphon Trust, its leadership, or schools, unless by prior approval.
- 2.11 Employees should respect the principle of collective decision-making and corporate responsibility. This means that, once the Directors or School Leaders have made a decision, employees should support that decision as a professional standard.
- 2.12 Any member of staff not complying with this policy may be subject to a formal disciplinary investigation as a result of which disciplinary sanctions may be the result. Staff should raise any questions, report any concerns and seek advice from their line manager in the first instance.

3.0 Expressing Personal Views

- 3.1 These following guidelines are designed to preserve the credibility and public reputation of the Trust Board/School Governing Body while at the same time giving individual employees the freedom to participate in public debate: -
- If asked to make a public statement, you should not do so as a spokesperson for the school, unless you have the authorisation of the Headteacher or Trust's CEO. When speaking in this role you must avoid introducing personal opinion which might be mistaken or interpreted as the trust's/school's official/unofficial view. Employees might consider if they require media training or assistance from the Trust's public relations consultants.
 - When called upon to write or to speak as a specialist or professional in a particular subject you are at liberty to express your own views. This type of activity does not usually involve any discussion of the policy of the Trust/Governing Body. The Trust does not object to you identifying your role in school in order to indicate your professional standing. You must, however, include a statement making clear that the views expressed are your own and that they should not be attributed to the Trust or Governing Body of any trust school.
 - Members of staff who are called upon to express their personal views on a matter which is currently under discussion within the school are free to express their personal view fully within the normal bounds of good sense which include the avoidance of personalised attacks on colleagues or on members of the trust/school's leadership or governance. Members of staff would, however, be expected not to exploit their position as an employee to add weight to a personal or private point of view. Members of staff identified as employees should not be seen publicly attacking the declared views or decisions of their employer. Privileged Trust/School information obtained through the employee's job should not of course be released to outside bodies or used in statements or views attributed to such bodies.

4.0 Further Guidance

- 4.1 For further guidance, refer to "Guidance for Safer Working Practice for Adults who work with Children and Young People in Education Settings" or speak in private with the school's CPLO.

SPECIAL LEAVE

1 Summary

- 1.1 These regulations and guidance notes are applicable to all staff. Where necessary a distinction is made between the various categories of staff involved, and where staff have an annual leave entitlement this should be considered when considering individual requests.
- 1.2 These regulations and guidance notes are concerned with all leave of absence from duty for any reason other than sickness, involvement in activities as accredited representatives of a trade union, or participation in service training.

2 Entitlement

- 2.1 These regulations do not allow automatic entitlement to leave. Each application for leave will be considered on its merits. All the circumstances relating to the application should be considered in the light of the operational requirements of the establishment, including whether the member of staff making the request for leave has a separate annual leave entitlement. In such considerations, therefore, the individual needs of the employee must be balanced against the requirements of the establishment to ensure a fair and sympathetic general approach.
- 2.2 If a member of staff is granted paid leave to undertake public duties, all appropriate allowances must be claimed relating to this public duty. The School shall then deduct, from the employee's full pay, an amount equal to the allowances which are received for attendance and loss of pay. Any allowances for travelling and subsistence will not be deducted (see paragraphs 4.0 below for effect on Teachers' and Local Government Pension Schemes).
- 2.3 It will be the responsibility of the member of staff to ensure that public duty commitments for which loss of earnings can be claimed (e.g. jury service) are notified to their Manager as soon as possible. Any paperwork from the Court asking for pay details must be sent to Payroll as soon as possible. Payroll will provide an explanatory letter and certificate of attendance which the Court will sign to confirm the amount of reimbursement to be made. This form must be returned by the member of staff to Payroll for the appropriate deduction from salary to be made.
- 2.4 The term 'dependant' (as used in Part II paragraph 10.2 – 10.4) is defined as a spouse, an opposite or same sex partner, a civil partner or co-habitué, a child, a parent, a close relative or other person who lives in the same household as the member of staff (with the exception of a tenant, lodger, boarder or employee of the member of staff requesting time off) and who relies on the member of staff as their recognised carer to help them or make arrangements for them. Additionally, where the dependant is ill, has been injured/assaulted or the arrangements for the care of the dependant have been unexpectedly disrupted/terminated, the term 'dependant' will also include any other person who reasonably relies on the member of staff for assistance or to plan.
- 2.5 The term 'close relative' (as used in Part II paragraphs 11.1 and 12.2) would normally include a spouse, an opposite or same sex partner, parent, child, brother or sister, but it may be appropriate for it to also include another relative, or relative of the spouse, who has had a very close association with the member of staff, their spouse or partner. There may be circumstances where it is valid for a member of staff to attend to matters relating to the death or serious illness of a non-relative, but any leave granted in these circumstances will be subject to the same maximum paid leave period quoted in Part II paragraph 12.2 and the unpaid provisions described in Part II paragraph 11.1).

1.0 Approval procedure

- 3.1 These regulations delegate authority to the Headteacher or, in their absence the Deputy Headteacher or designated Senior Leader to authorise absence in the circumstances specified below. Any application for leave of absence that - in its purpose or length - falls outside the scope of this delegated authority shall be referred, via the Deputy Headteacher to the Headteacher for advice. It may also be necessary to seek the view of the HR Adviser. The Chair of Governors would be referred to if the member of staff appealed against the decision of the Headteacher.
- 3.2 Leave shall only be taken with the prior approval of the Deputy Headteacher or if necessary, the Headteacher. However, in an emergency formal approval may need to be obtained retrospectively. In normal circumstances applications for approval should be made at the earliest possible date - bearing in mind that the application may need to be referred beyond the Deputy Headteacher.

- 3.3 Any decision regarding leave of absence under these regulations must be communicated to the member of staff making the application as soon as a decision has been taken. If a member of staff and the Manager, or the Headteacher are unable to agree on the action that is appropriate in respect of any particular application, the matter should be referred to the HR Adviser for guidance. At all stages, decisions will be communicated as quickly as possible to the member of staff making the application. It is a general principle throughout the document that no application for leave of absence should be unreasonably refused.
- 3.4 Before agreeing to be nominated for a public duty or office, or enrolling for an examining activity (or other activity which may have time off implications under the terms of this document) a member of staff shall, in order to allow advance planning, first discuss with their Manager, the possible implications of taking on the responsibility. Each specific absence or programme of absences thereafter shall be subject to the prior approval of the Manager.
- 3.5 If the Headteacher or member of the Senior Management Team requires his/her own personal leave of absence under these regulations, application should be made to the Chair of Governors. These regulations and guidance notes will apply in the same way as for other members of staff.

4.0 Effect of leave on benefits

4.1 Teachers' Pension Scheme

4.2 In accordance with the Teachers' Pension Regulations (2014):

- Leave with pay (other than sick leave) up to a maximum of 30 days per financial year counts as reckonable service. Such leave in excess of 30 days may count as reckonable service only if it is approved by the Department for Education.
- Leave without pay does not count as reckonable service, and therefore the member of staff should be fully aware of the effect this will have on his/her long-term pension entitlements.
- Leave that does not normally count as reckonable service may count if the member of staff elects to pay the combined employee's and employer's pension contributions. Enquiries about election to pay the combined contributions should be made by the member of staff via Payroll.

5.0 Local Government Pension Scheme

- 5.1 Leave with pay (other than sick leave) up to a maximum of 30 days counts as reckonable service. Any requests for extensions beyond this period will need to be referred to the Headteacher and HR Adviser.
- 5.2 Leave without pay does not count as reckonable service, and therefore the member of staff should be fully aware of the effect this will have on their long-term pension entitlements.
- 5.3 Leave that does not count as reckonable service may be included if the employee elects to pay the combined employee's and employer's pension contributions. Enquiries about election to pay the combined contributions should be made by the member of staff to Payroll.

6.0 National Insurance

- 6.1 National Insurance benefits are **not** affected by periods of paid/unpaid leave

PART 2 – General guidance for Managers when applying the provisions to staff

Note: In any circumstances where **unpaid** leave is granted, the member of staff should ensure that he/she understands the effect this will have on his/her longer-term pension benefits (see Part 1 paragraph 4.0 and 5.0) and if necessary should seek advice from Payroll.

1.0 Introduction

- 1.1 These guidance notes offer advice to Managers on the exercise of their authority to approve leave of absence.
- 1.2 With the exception of entitlement to parental leave, Managers should ensure that, after taking into account any leave previously authorised by them, the total under these regulations for any particular member of staff in any 12 month period does not exceed 10 days with pay and 10 days without pay. If the Manager considers that leave in excess of these periods may be justified, the case with supporting details, should be submitted for consideration by the Headteacher and with the advice of the HR Adviser

2.0 Leave for Professional Duties

- 2.1 Examining activities
- 2.2 The Headteacher or, in his absence, the Deputy Headteacher or designated Senior Leader may authorise paid leave to enable a member of staff to attend an activity arranged by an Examination Board, provided that:
 - the member of staff is engaged by the Board as an examiner, as a moderator or as a member of a subject panel or managing committee; and
 - the activity is concerned with the preparation of examination papers, the moderating of examinations, the marking of examination scripts, the award of grades or the consideration of appeals; and
 - the activity cannot practicably be held outside the member of staff's normal working hours, and their attendance at the activity is essential; and
 - the activity requires the member of staff to spend time additional to that normally needed to fulfil his/her contractual responsibilities; and
 - any fees (other than expenses) paid by the examining board to the member of staff are in recognition only of work that they have undertaken in addition to his/her contractual responsibilities; and
 - the maximum leave authorised - per academic year, per member of staff - should not normally exceed 5 days or, if the member of staff is a Chief Examiner, Chief Moderator, Chair or Vice Chair of a subject panel, 10 days per academic year.

3.0 Examinee activities

- 3.1 The Headteacher or, in his absence, the Deputy Headteacher or designated Senior Leader may authorise paid leave to enable a member of staff to attend an examination that is relevant to the member of staff's professional development and for the post they hold.
- 3.2 Paid leave may be authorised by the Headteacher or, in his absence, the Deputy Headteacher or designated Senior Leader to help a member of staff to undertake final revision immediately prior to a relevant examination on the basis of a maximum of 0.5 day's leave for each half-day examination, and a maximum total of 5 days per academic year.

4.0 Interviews

- 4.1 The Headteacher or, in his absence, the Deputy Headteacher or designated Senior Leader may authorise paid leave to enable a member of staff to attend an interview for another post within the Education Sector. Other requests for leave to attend interviews should normally be supported but this is at the discretion of the Manager. The Manager should agree to reasonable time off considering the travel distance and the nature of the selection process.
- 4.2 Normally a half day paid leave will be agreed. Up to one day paid leave may be granted in exceptional circumstances. As a general rule, the interview day will be paid but not travel time if the member of staff requires additional days.

5.0 Transfer visits

- 5.1 The Headteacher or, in his absence, the Deputy Headteacher or designated Senior Leader may authorise paid leave to enable a member of staff to visit an education establishment to which he or she is to transfer, and such leave must be arranged by mutual agreement between the Managers concerned.

6.0 Work in OFSTED teams/Other School to School or Consultancy

- 6.1 Where a member of staff wishes to engage in this work, the principle of involvement and extent of commitment should be agreed first with the Manager and reported to and confirmed by the Headteacher. Where it is the Manager who is seeking release, the matter should be referred directly to the Headteacher, who may refer the matter to the HR Adviser for guidance
- 6.2 Release for specific periods will be agreed, subject to operational considerations, by the Deputy Headteacher or, if it is the Deputy Headteacher seeking leave, by the Headteacher.
- 6.3 The member of staff shall continue to be paid by the school whilst undertaking OFSTED work. OFSTED should therefore be invoiced to pay the school for the employee's services. The school will receive the balance of the fee after a deduction has been made for the cost of the member of staff's salary for the days spent on OFSTED work during school hours. This deduction should be based on 1/365 to take account of the work undertaken on OFSTED activity by the member of staff outside normal school hours.
- 6.4 Payments for expenses reasonably incurred by the member of staff whilst performing OFSTED work are a matter exclusively between the member of staff and OFSTED. OFSTED is taken above to refer to all educational consultancy including school to school support.

7.0 Leave for public duties

- 7.1 Public offices
- 7.2 The Headteacher or, in his absence, the Deputy Headteacher or designated Senior Leader may authorise paid leave (subject to the provisions of Part I paragraphs 2.2, 2.3 and 3.5) for a maximum of 18 days in any 12-month period to enable an employee to function as:
- a Justice of the Peace
 - a Governor of an educational establishment that is maintained by a LA
 - a member of a Local or Health Authority
 - a member of a Statutory Tribunal
 - a member of a Post-16 Further or Higher Education School Corporation
 - a member of a body appointed by Central Government
- 7.3 If additional leave is sought by a member of staff, and the Manager considers that leave in excess of the 18 days may be justified, the case, with supporting details should be submitted for consideration by the Headteacher and to the HR Adviser for guidance.

8.0 Candidates and agents in elections

- 8.1 The Headteacher or, in his absence, the Deputy Headteacher or designated Senior Leader shall authorise unpaid leave - from the date of the proclamation of the dissolution of Parliament to the day following the declaration of the result - for a member of staff who stands as a candidate, or who acts as an agent, in a parliamentary election.
- 8.2 The Headteacher or, in his absence, the Deputy Headteacher or designated Senior Leader shall authorise unpaid leave on the polling day for a member of staff who stands as a candidate, or who functions as a presiding officer, in a Local Government election.

9.0 Court service

9.1 The Headteacher or, in his absence, the Deputy Headteacher or designated Senior Leader shall - or if the attendance is discretionary, a Manager may, authorise paid leave (subject to the provision of Part I paragraph 2.3) to enable a member of staff to serve as a juror or witness in a court. Where an employee is attending court for some other purpose, paid leave shall be subject to consultation with the HR Adviser.

10.0 Compassionate Leave/Time off for Dependants and Carers

10.1 Statutory Entitlement

10.2 In certain circumstances, a member of staff can request time off during working hours in order to assist or plan for the care of a dependant. The term 'dependant' is defined in Part I paragraph 2.4.

10.3 Reasonable time off – up to 1 day - will be agreed and will normally be paid (subject to the Manager's discretion to grant paid time off as described at paragraphs 12.1 – 13.2 below). Reasonable time off will be judged on the particular circumstances of the case, taking account of the need for the member of staff to take time off, the length of time required and the operational requirements of the school. Recent case law has held that it is not possible to specify a maximum period for time off. Such reasonable requests for time off should not be refused unless there are exceptional reasons for doing so. Members of staff should limit their requests to cases of emergency and cases where they are the only person available to deal with the situation. It may be appropriate to agree with the member of staff that they use annual leave for part of the absence if it is likely to be for more than a day.

10.4 If, due to the specific needs of a member of staff's dependent(s), a regular personal working pattern is needed, the Flexible Working Policy should be referred to and, if appropriate, a Flexible Working application made. All cases should be discussed with the Manager and advice sought before any agreement is reached. Flexible working requests are reviewed on an annual basis.

10.5 Specifically, a member of staff will be entitled to reasonable paid time off which is necessary to:-

- aid when a dependant falls ill or is injured or assaulted
- aid when a dependant gives birth (where the member of the staff is the father of the child see also entitlement to paternity leave). Please refer to the maternity support and paternity leave provisions.
- c. plan for the care of a dependant who is ill or injured
- plan following the death of a dependant
- make emergency arrangements due to the unexpected disruption or termination of arrangements for the care of a dependant (e.g. due to the illness of a child-minder etc.)
- deal with an unexpected incident in relation to a member of staff's child, where that child is in the care of an educational establishment.

11.0 Death or serious illness of a close relative

11.1 The Headteacher or, in his absence, the Deputy Headteacher or designated Senior Leader may authorise paid leave for a maximum of 2 days to enable a member of staff to attend to matters relating to the death or serious illness of a close relative. If nursing is needed, consideration should be given when determining the reasonableness of any leave, to the sick person's domestic circumstances (including the ability of other members of the family to assist). Part I paragraph 2.5 defines the term 'close relative' and draws attention to the procedures to be followed where consideration is given to the extension of these provisions to a non-relative.

11.2 In exceptional circumstances, paid leave in excess of the 2 days may be approved by the Manager after consultation with the Headteacher and with advice from the HR Adviser for up to a maximum of 3 additional days. If absence may be necessary for a prolonged period (pending, for example, the death of a relative who has an apparently terminal illness), some unpaid leave may also be authorised by the Headteacher with advice from the HR Adviser in accordance with the provisions of paragraph 20 above.

- 11.3 A Manager must seriously consider any special requirements of an employee who follows a particular religion or holds specific beliefs. Some religions and beliefs have prescribed mourning periods or special requirements. This may mean that an employee may ask for extended leave in order to meet the needs of their religion or belief. Manager's should therefore give serious consideration to granting leave beyond the normal compassionate leave provisions as outlined in paragraphs 21, 22 and 23, subject to the Approval Procedures in Part 1 and paragraph 1.2 of Part 2 of these regulations and to the HR Adviser's guidance

12.0 Non-serious illness of a close relative

- 12.1 The Headteacher or, in his absence, the Deputy Headteacher or designated Senior Leader may authorise paid leave for a maximum of 1 day to enable a member of staff to attend to the non-serious illness of a close relative except that, in the case of his/her child, such leave will normally be without pay and will be approved on the basis of providing the opportunity for the member of staff to make alternative child care arrangements.
- 12.2 In exceptional circumstances the Manager has the discretion, in consultation with the Headteacher and with advice from the HR Adviser, to approve extra assistance to members of staff. Normally any leave allowed in addition to that stated above, should be without pay. However, where unpaid leave would cause significant financial hardship, or where unforeseeable problems have arisen in the member of staff's contingency arrangements, the Headteacher may extend paid leave, convert unpaid leave to paid leave, provide additional paid leave or extend unpaid leave.

13.0 Family leave

- 13.1 The Headteacher or, in his absence, the Deputy Headteacher or designated Senior Leader should ensure that they read the following in conjunction with the more detailed Family Friendly Policy (Maternity, Paternity, Adoption and Parental Leave)
- 13.2 IVF Treatment
- 13.3 In the case of a member of staff requiring time off to undertake IVF Treatment, including tests, it should be noted that there is no statutory entitlement to time off for this. However, the School would wish to be as supportive as it can be in the circumstances and so Managers, after seeking advice, should agree to appropriate time off which can be taken as a mix of annual leave, TOIL and unpaid leave. A consistent approach to the time off needs to be adopted across the School and so each case will be dealt with on an individual and confidential basis.

14.0 Time off for religious and belief observance

- 14.1 The Employment Equality (Religion or Belief) Regulations 2003 make it unlawful for employers to discriminate directly or indirectly when dealing with requests for time off for religious observance. However, the law does not confer an automatic right for employees to have time off for religious observance nor does it afford employees an additional annual leave entitlement for such purposes. Senior Managers, must consider whether or not their policies, rules and procedures for leave of absence could be seen to directly or indirectly discriminate against staff of particular religions and beliefs and if so, what reasonable changes could be made to accommodate their needs. The HR Adviser should be contacted for guidance if necessary.

15.0 Removals

- 15.1 The Headteacher may authorise unpaid leave normally for a maximum of one day, but with possible extension to two days in the case of a long-distance removal, to enable a member of staff to move house if it is not reasonably practicable for the removal to take place outside the employee's normal working hours.

16.0 Time off for Foster Carers

- 16.1 The School recognises the value to the community of Foster Care and the commitment of employees who undertake foster care and would wish to be as supportive as it can be in these circumstances. A Manager, after seeking advice, may agree appropriate time off to attend training and meetings relevant to the role of a foster carer. Time off can be taken as a mix of annual leave, TOIL and unpaid leave.

- 16.2 To support staff to plan to receive a foster child and to settle them into the family home, a maximum of two days paid leave will be allowed following a formal fostering arrangement with the Local Authority or approved fostering agency. This will be subject to a maximum of four days paid leave per year. Should further leave be required, this will be unpaid and subject to agreement by the manager. Flexible working requests will also be considered (please refer to the Flexible Working Policy)
- 16.3 Foster carers will not be entitled to parental leave but in instances where there is an emergency relating to a foster child, the employee will be entitled to make use of the 'Time off for Dependents' (see above). This provides one day of paid leave to attend to the emergency and make ongoing arrangements where necessary.

STAFF DEVELOPMENT POLICY

1.0 Aim

1.1 The purpose of the Trust Staff Development Policy (hereafter referred to as “this Policy”) is to define the process by which schools within the Trust will deliver consistent high-quality professional development and support for all its employees in order to:

- provide strong traction for school development
- support recruitment and retention
- promote well-being
- develop excellence

2.0 Scope

2.1 This policy applies to all employees of The Gryphon Trust.

3.0 Core Principles

3.1 The core principles of this policy are that it:

- develops a sense of shared mission
- supports the development of all teaching and non-teaching employees
- motivates all employees to improve
- provides genuine accountability
- involves collaboration and peer support
- embeds professional growth and learning into everyday work practices
- is sustained over time, with frequent check ins and rich feedback
- encourages experimentation
- develops expertise & mastery
- shares knowledge

4. Responsibilities

4.1 The Board of Directors (through its committees, including its Local Governing Bodies), Chief Executive Officer, Headteacher and Senior Leadership Team (SLT) of each school within the Trust will monitor the operation and effectiveness of this policy.

4.2 All references to Local Governing Body, Headteacher or SLT shall mean the respective Local Governing Body, Headteacher or SLT.

5.0 Related Policies and Procedures

5.1 This policy supersedes the previous Performance Management Policy. This policy builds on existing policies of The Gryphon Trust, particularly the policies for:

- Pay and Salary
- Equality
- Probation
- Performance Concerns

6.0 Overview

6.1 This policy comprises two linked components: Practitioner Development and Quality Assurance. Regular feedback and support are a key feature of both components. Practitioner Development defines a set of processes

in which employees develop a single ‘mastery’ goal throughout the year. Quality Assurance defines a set of processes used to verify and improve everyday practice. Details of the Practitioner Development component and Quality Assurance are shown below.

7.0 Practitioner Development

7.1 The purpose of the practitioner development component of this policy is to improve each employee’s professional skills in alignment with their Professional Standards and the School Improvement Program.

8.0 Mastery Goal

8.1 At the start of the academic year, each employee will reflect on their previous year’s performance and select a single mastery goal to develop throughout the upcoming year. The mastery goal should be related to their core role in school. It should contribute to an aspect of the School Improvement Plan and develop an area identified in a professional self-review. Their mastery goal will be discussed with and approved by their appraiser. It will be recorded in a Professional Growth Plan which will outline the plans for how this mastery goal shall be developed during the year.

8.2 Half-way through the year, each employee will formally discuss their progress on their professional Growth Plan with their appraiser. It will then be reviewed at the year-end in their Annual Appraisal.

9.0 Professional Growth Plan

9.1 Employees will plan and record their progress on their mastery goal on their “Professional Growth Plan” - a live document reflected on and referred to frequently. This document will form the basis of their annual review.

10.0 Career Development Pathways

10.1 A route map of career development pathways will be developed and maintained for employees aspiring to develop their careers into leadership roles, or to move across roles. These pathways are optional and will cover both teaching and non-teaching roles. They will signpost employees to opportunities, research and training that can provide them with the skills and experiences needed to make career progressions. If employees choose to follow a career development pathway, they should record their progress on their Professional Growth Plan and share their progress with their appraiser.

11.0 Training Development and Deep Practice

11.1 To develop mastery in their chosen area, employees will embark on a cycle of research, training, and practice to work towards their mastery goal. They will engage in opportunities for learning and experimentation, reflection, and evaluation. This approach should be embedded into their everyday work practices, but opportunity will also be provided in INSET days. They will record their progress on their Professional Growth Plan.

12.0 Coaching, Feedback and Support

12.1 Employees will receive regular feedback and support throughout the year. This will be through a combination of formal meetings with their appraiser and informal ‘SCRUM’ Meetings with their team. More details of these are given in the sections below.

13.0 Goal Setting Meetings

13.1 Goal Setting Meetings between employees and their appraiser will take place by 31st October of each year. The meeting will include a discussion of:

- the previous year’s outcomes including last year’s Appraisal Report
- their progress against the appropriate Professional Standards
- the School Improvement Plan (SIP)

- any individual support plans
- selection of mastery goal
- opportunities for development on a Career Development Pathway

13.2 Employees will be given opportunity to reflect on the items above prior to the meeting.

13.3 An employee's mastery goal for the year will be finalised, and then approved by their appraiser. The employee will record the goal, and initial plans for its implementation on their Professional Growth Plan and upload the goal centrally. They should also identify any training needs and forward these to their Line Manager and SLT Lead for Staff Development for approval.

14.0 Scrum Meeting

14.1 All employees will meet at least once per term with their team and share with them their progression towards their mastery goal. The purpose of these informal meetings is to:

- identify opportunities for collaboration
- identify obstacles so that they can be quickly sorted
- share good practice
- give an opportunity to celebrate success.

14.2 For teaching staff SCRUM Meetings (named Scrum meetings to empathise their short, focussed nature and reliance on teamwork) will take place as part of scheduled department meetings, for non-teaching staff time will be made available on INSET days. The Team lead will coordinate these sessions to ensure that each team member receives professional support and feedback towards their mastery goal, and that potential collaborative opportunities are pursued. Employees will review and update their Professional Growth Plans after each SCRUM meeting.

15.0 Half Year Progress Meeting

15.1 In January each employee will meet with their appraiser for a formal discussion of their Professional Growth Plan, including progress towards their mastery goal and any career development pathways. If an Individual Support plan is in place this will also be discussed. Employees will be coached to identify their next steps which will be recorded in their Professional Growth Plan.

16.0 Annual Appraisal

16.1 Formal annual appraisals will take place in the second half of the summer term and will be completed by 15th July. These will recognise and celebrate achievement, identify areas for future development and opportunities for sharing expertise through, for example, mastery workshops

16.2 For a successful appraisal, employees will:

- have engaged with Professional Development process, as evidenced in their Professional Growth Plan
- continue to meet the appropriate Professional Standards

16.3 Appraisals will start with the premise that employees are meeting the standards unless clear written evidence to the contrary has been submitted. Should there be any significant or continued concerns regarding an employee's practice, their Head of Centre of learning or SLT lead will support their development through an Individual Support Plan. This will be shared with their Head of Centre of Learning (HOCL) and Appraiser and discussed in the January and July review meetings.

16.4 All employees will receive a written appraisal report as soon as practicable following their review and by 31st July (31st December for Chief Executive Officer and Headteacher). The appraisal report will include:

- an assessment of their engagement with the professional development process, as evidenced by their Professional Growth Plan

- confirmation that they have continued to meet their professional standards
- recommendation for pay progression, if appropriate
- recommendation regarding probation period, if appropriate

16.5 All employees and appraiser are encouraged to also use review meetings to discuss other matters pertinent to their employment such as progress on career development pathways.

17.0 Individual Support Plan

17.1 Should any significant concerns be raised regarding employees meeting their professional standards and/or their role description, individual plans of support will be put in place by their Team Leader or by a member of the SLT. This will identify the steps and support needed for the employee to improve and meet the expectations of their role.

17.2 The procedure for this is outlined in the Performance Concerns Policy.

18.0 Quality Assurance (Teachers)

18.1 This section describes the process of Quality Assurance for teaching employees only. Quality Assurance for non-teaching employees will be determined by team leaders and their associated Senior Leadership Team lead.

18.2 It is recognised that a single lesson observation is a poor method for judging the quality of teaching. Lesson observations will not therefore be used as a single indicator of performance or as a single indicator for assessing whether the Teachers' Standards have been met. Instead, lesson observations will be used to gather the evidence needed to lead the improvement the quality of teaching and learning in the school. This may be through developmental coaching and support of an individual or through more strategic changes led by Heads of Centres of Learning, Heads of Year and the Senior Leadership Team.

18.3 Four standard types of observation programme will be used for Quality Assurance – Senior Leadership Dropins, Traffic Light Observations and Learning Walks. They will include sampling of student work. The lesson model adopted by the individual schools within the Trust will underpin all of these lesson observations. Lesson plans will not be required and in general no notice of observations will be given, although the traffic light observations will be calendared. An overview is given in the table below with more detail in the sections that follow.

Observation Type	Frequency	Goal defined by	Observer	Approximate duration in minutes in individual lessons
Drop in	On going	SLT	SLT	10-20
Pastoral Drop in	Half termly	SLT/HoY	SLT/HoY	10
Traffic Light	Termly	HOCL	HOCL	30-60
Learning Walk	Half termly	SLT	SLT/HOCL	5

18.4 In addition to these observations, individuals may choose to be observed as a means of further developing their own practice. The timing and focus for the observation will be then be determined by the teacher being observed. Further, supportive lesson observations may be undertaken if an individual has an Individual Support Plan in place and arrangements for these will be determined on an individual basis.

18.5 Employees will receive constructive feedback on lesson observations within 2 working days of the observation taking place. Feedback will highlight areas of strength, as well as any areas that need development and support. This will usually be undertaken by face to face discussion and will be followed up with written observation records provided within 5 working days of the observation taking place. These will summarise the key aspects observed in an individual lesson including good practice and development points, documented by the observer. Practice improvements will be identified, and appropriate follow-up actions put in place.

18.6 Following each round of observations, the written observation records will be collated and analysed by the HOCL or member of SLT responsible for Teaching and Learning. Analyses will be reviewed by the SLT team and follow up actions identified and put in place.

18.7 Where lesson observations reveal significant concerns about any aspects of employee's performance, the HOCL and/or SLT member will work with the employee to develop an individual support plan (Section 6.4.4). This will identify the steps and support needed for the employee to improve and meet the expectations of their role.

19.0 Executive Review

19.1 At least once per term, the SLT will review the SLT analyses of that period. The member of the SLT responsible for Teaching and Learning will create a Quality Assurance summary, which will in turn be used by the Headteacher in preparing their Headteacher's report for the Local Governing Body and Trust Directors.

20.0 Pay Arrangements

20.1 The development and review cycle will link to the pay arrangements for employees. The annual pay determination will take place by the 31st October each year (31st December for the Chief Executive Officer and Headteacher) and is informed by the review cycle concluding at the end of the previous academic year (31st July). In such cases where a pay award is made it will be backdated to include 1st September.

20.2 With the exception of the Chief Executive Officer and Headteacher pay recommendation, all pay recommendations arising out of the appraisal process must be approved by the Chief Executive and Headteacher before being shared with the individual member of staff to whom the recommendation relates, and referred to the Local Governors Body pay committee. The HPMC must also refer their recommendation to the appropriate governors' committee.

20.3 Pay progression within grades and scales is the normal expectation unless the employee has been placed on the formal Capability Procedure or significantly fails to meet the criteria for a successful appraisal for the previous 12 months.

21.0 Confidentiality

21.1 Mastery goals will be shared within teams and across the school, as collaborative work will form the backbone of the development process. The appraisal process itself will be treated with confidentiality. Normally only the appraiser, appraisee and the Headteacher will have access to information and documentation relating to the appraisee. This is extended to the member of the Senior Leadership Team in charge of Staff Development and the Senior Administrator with responsibility for processing Staff Development Data. However, in the event of an Ofsted inspection taking place, Ofsted inspectors may request that anonymised information about the school's performance management arrangements, including the most recent review outcomes and their relationship to salary progression, is provided. Local Governors Body's may also request an anonymised sample of review statements to enable them to perform their role in monitoring the effectiveness of the school's staff development system.

22.0 Data

22.1 The Local Governing Body and Headteacher will ensure that all written staff development records are retained securely for at least seven years and then destroyed.

23.0 Health

23.1 In all annual reviews, factors of absence, such as any periods of ill health, or maternity leave, will be considered.

24.0 Appointing Appraisers

24.1 The Headteacher's performance will be reviewed by the Headteacher Performance Review Committee, which may be supported by a suitably skilled external adviser who has been appointed by the Trust Board for that purpose. The task of reviewing the Headteacher will be delegated to a sub-group consisting of three Governors, including the Chair of Governors. The appointed members will be known as the Headteacher Performance Review Committee.

24.2 The Headteacher will decide who will review other teachers and support staff; this will normally be the

employee's line manager. The Headteacher has the discretion to delegate the review process to other employees who will normally be their Senior Leadership Team link. Reviewers will have the necessary knowledge and training in order to undertake this role. Where performance concerns arise (see section above), the Headteacher may re-delegate the reviewer role to a senior manager or undertake the role of reviewer themselves.

25.0 Dealing with Performance Concerns

- 25.1 The task of reviewing the Chief Executive Officer's performance is delegated to the Board's Pay and Performance Committee in accordance with its Terms of Reference. This committee may be supported by a suitably skilled external adviser which they may appoint for that purpose.
- 25.2 The task of reviewing the Headteacher's performance is delegated to the Headteacher Performance Review Panel which shall comprise the Chair of the Local Governing Body and two other Local Governors. The Panel may be supported by a suitable skilled external adviser who has been appointed by the Trust Board for that purpose.

26.0 Non-Teaching Staff

- 26.1 Quality Assurance for non-teaching employees will be determined by team leaders and their associated Senior Leadership Team lead. The form and regularity of this will depend on the nature of the role and the experience of the individual. Strategies to be used include; - observations of work in progress, quality checks of completed work, monitoring of response and resolution times, user feedback, and internal and external audits.
- 26.2 Where significant concerns are raised about any aspects of employee's performance, the team leader and/or SLT member will work with the employee to develop an individual support plan (Section 7.5.5). This will identify the steps and support needed for the employee to improve and meet the expectations of their role.

WORKING TIME ARRANGEMENTS FOR SUPPORT STAFF POLICY

1.0 Introduction

- 1.1 The school is committed to attracting and retaining employees from diverse backgrounds and with the necessary skills and experience. It appreciates that this diversity includes a high percentage of parents and individuals with other caring responsibilities, as well as those whose interests and aspirations impact on their time. It therefore appreciates that the right balance between work and home life is a collective responsibility between the employer and the employee.
- 1.2 The school recognises the importance of helping its employees balance their work and home life by agreeing some flexibility in working arrangements that enable them to balance their working life with other priorities. In turn it has the reasonable expectation that staffing levels must at all times remain in line with the demands of the school's effective operation.
- 1.3 The school is committed to facilitating flexibility but managers and employees need to be realistic in recognising sometimes flexibility will not be appropriate for all jobs across all areas of the Academy.
- 1.4 This policy aims to guide managers and staff on the ways in which hours of work are to be managed and the flexibility available between business need and the respect for individuals' work-life balance.

2.0 Hours of work

- 2.1 Full time hours of work are 37 per week for employees up to and including Band C. This forms the standard hours before overtime can be paid. The normal working week is Monday to Thursday 8.00 am – 4.00 pm, Friday 8.00 am – 3.30 pm.
- 2.2 For employees on Band D and above, the core hours are 37 per week but employees are expected to work such hours as are required to fulfil the demands of the role, subject to maintaining a respect for a reasonable balance between the demands of the job and personal life.

3.0 Variations to hours of work

- 3.1 It is acknowledged that on occasion members of staff may exceed their normal contracted hours because of particular work demands and that there can be considerable variation in departments in the requirement for employees to undertake additional work at various times throughout the year. It should be noted that this paragraph is not intended to cover an ongoing regular need for additional hours to be worked, in such circumstances this should be discussed with the relevant manager to ensure that an agreeable solution is reached.
- 3.2 It is also acknowledged that employees may wish to start later, finish earlier or take an extended lunch period to deal with urgent domestic or personal matters.
- 3.3 It is against this background that employees may have to vary the times they start or finish to accommodate these needs, both work and personal.
- 3.4 The school would wish to ensure that a good balance is achieved between accommodating operational needs and ensuring personal life is preserved.

4.0 Working Flexibly

- 4.1 The facility to work flexibly applies to all support staff, subject to prior agreement with the Senior Leader and the needs of the department.
- 4.2 In order to be entitled to work flexibly or take time off, the following conditions apply:
 - Employees must be present for the core hours as agreed locally (i.e. to ensure offices are adequately covered during operational and peak times).

- Lunch break minimum: 30 minutes for employees working 6+ hours per day.
- For staff working full time i.e. 37 hours a week, the contractual allowance for a lunch break is 30 minutes unpaid.
- There is no contractual entitlement to have a tea break in the morning and the afternoon as well as a lunch break.
- Normally any additional time taken over and above the hour a day will be made up within one month (i.e. through shorter breaks being taken).
- Staff might accrue additional hours and on occasion take a half day or day's leave at a mutually convenient time. It should be noted that this scheme is not intended as a means to supplement annual leave and it is not expected that staff will regularly take time accrued as half day or day's leave. Wherever possible staff on all year-round contracts must take half or whole days leave during non-term time.
- Wherever possible, staff should not take any accrued time off in lieu during times that may have a negative effect on the student experience, i.e. during timetabled teaching sessions.
- Any additional hours accrued must be agreed by the Finance Officer in consultation with the Headteacher.
- The recording, monitoring and reporting on hours of work should be managed locally, as agreed between employee and line manager, and regularly reported to the relevant SLT member to monitor and ensure consistency.

5.0 Overtime for staff on Bands A-C

- 5.1 No employee on these grades should work beyond contractual hours (overtime/additional hours) unless this has been previously agreed in advance between the individual and the line manager and addresses an immediate, urgent, or short term issue for which there is no alternative.
- 5.2 Time off in lieu (TOIL) should be granted to compensate for extra hours worked, whenever that may be, on an hour for hour basis. It is not a payment for working extra hours, it is an exchange for hours worked at one time for time off at another time, beyond that contracted outside of core term times.
- 5.3 No time off in lieu will be due for periods of less than a quarter of an hour.
- 5.4 In the event of regular overtime being required on an on-going basis, advice should be sought from the Deputy Headteacher/Headteacher as this could be indicative of a wider staffing issue than a short term increase in demand for which TOIL should be taken.
- 5.5 If it is not possible to take time off in lieu because of serious detriment to the service then in exceptional circumstances a claim for payment must be submitted. This **must** be agreed and authorised in advance by the Finance Officer **prior to the completion of the work**.
- 5.6 Payment for hours totalling below 37 in any one working week will be paid at flat rate and hours totalling more than 37 in any one working week will be at time and a half, Mondays to Saturdays and double time on a Sunday or Bank Holiday. Claims for payment should be made on the Overtime/Additional hours claim form.

6.0 Overtime for staff on Bands D and above

- 6.1 Employees are expected to work hours as required subject to respect for work life balance. Roles at Band D and above are diverse and complex in nature and it is up to the individual with their manager to recognise the parameters of what is reasonable. If at any stage an employee believes that they are consistently being asked to work unreasonable hours or if the requirements of their role cannot be completed in a reasonable amount of time, then this should be raised with the manager who must raise it with the individual as a duty of care. It may be indicative of a wider issue which should be discussed with the Deputy Headteacher /Headteacher. Overtime is not normally payable for staff on Band D and above except in special circumstances and by prior arrangement. In exceptional circumstances TOIL or payment may be appropriate and advice in these circumstances is available from the Finance Office/Chief Finance Officer.

7.0 Working Time Regulations

- 7.1 The Working Time Regulations 1998 give every adult worker the legal right to refuse to work more than an average of 48 hours a week, calculated over a reference period of 17 consecutive weeks, subject to certain exemptions. The

17-week period may be increased to 26 weeks for workers whose work keeps them away from home for long periods and for some other groups of workers.

- 7.2 Travelling time to and from work is not included in the working time calculation for the purposes of the Working Time Regulations 1998. Time spent travelling outside normal working hours also does not count as working time. For example, if an employee is required to attend a conference meeting, so has to travel there the night before, this travelling time does not count towards working time because it has taken place outside normal working hours. However, working time does include travelling where it is an integral part of the job. The Working Time Regulations also include the following provisions:
- 7.3 An entitlement to 11 hours rest between each working day or compensatory rest if this is not possible.
- 7.4 An entitlement to one complete day of 24 hours off per week or two days per fortnight.
- 7.5 A period of at least 20 minutes rest in each six hour period.